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Kashmir Predilection

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*Dedicated to
My Sons : EHSAN & IRFAN
and
My Daughters : BATOOL & MUNISA*

PREFACE

The present work "Kashmir Predilection" is presented to the reader with the hope of better understanding of Kashmir and Kashmiris. For Kashmiri reader, its reading might expose him to recover his lost self.

The book is actually presentation of documents relating to the J & K Peoples Convention held in 1968 at Srinagar convened by the tallest of Kashmiris in the present century, Sheikh Mohd Abdullah. It also examines, evaluates and interprets, in its introduction, the documents included in the work. The convention proves that instead of finding a solution of Kashmir dispute acceptable to India, Pakistan and Kashmir, it only discovered the total personality of Kashmir seeking its identification. The book presents available and selected documents—selection may be arbitrary but while editing the work, it was kept in mind that all shades of opinion are duly reflected.

With gratitude is acknowledged the placement of documents relating to the convention by late Kh. Ahsan Wani Nadihal Bandipore in my hands before his death. Thanks are also due to Mr. Itrat Rafiqi, research scholar, University of Kashmir, for his help in its editing. I shall fail in my duty if I do not thank my two sons EHSAN and IRFAN and also my two daughters BATOOL and MUNISA for their contribution in this endeavour.

Further, I may add that this work could not have been accomplished but for the good wishes of my father.

MANZOOR FAZILI

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PART I INTRODUCTION

State Peoples Convention : An Introduction

Whatever may have been written on Kashmir Politics and the Sheikh, it goes beyond question that the Sheikh's politics was the politics of Kashmir identification. Some writers have pointed out that in the opening address to the Kashmir Constituent Assembly, in which he talked about three alternatives with regard to the accession of Kashmir, he was not sincere in his intentions when he said, "This is a day of destiny—a day that comes but once in the life of a nation". To him three alternatives were open—accession with India or accession with Pakistan, or to remain independent. Though in his analysis he preferred accession with India as against the other two alternatives yet "the emphasis on Kashmir being an entity separate from both India and Pakistan was unmistakable".¹

Earlier to the accession of the state with India, struggle for freedom also, under the leadership of the Sheikh, reflected the same urge or drag. The conversion of the Muslim Conference to the National Conference had an emotional drag towards that identification which the Sheikh called Kashmiriat. This conversion reflected that he did not like to associate Kashmiris with the Muslim League or the National Congress of India. Even the document of Naya Kashmir and the "Quit Kashmir" slogan envisaged that the Sheikh stood for a statehood of Kashmir

which could guarantee its separate and individual character. Sheikh Abdullah said as early as 1946, while he had launched the "Quit Kashmir" movement, "Monarchy is not the birth right of a ruler. Every Kashmiri, whether man, woman or child, shall raise the 'Quit Kashmir' slogan. Kashmiri Quom (nation) has expressed its will and I demand that the opinion of the body politic be sought."² While discussing the third course open to Kashmir in 1947 the Sheikh said, "We have to consider the alternative of making ourselves an Eastern Switzerland, of keeping aloof from both states, but having friendly relations with them. This might seem attractive in that it would appear to pave the way out of the present deadlock. To us as a tourist country it could also have certain obvious advantages. But in considering independence we must not ignore practical considerations."³

Thus as early as November 1951, the Sheikh had come to realise that the self-identification was necessary. To this end he continued to fight till the culmination of his political life in 1982. In 1953, when he fell out from the Congress Leadership, the cause was attributed to his statements at Ranbirsingh Pora and Ganderbal which, according to the Indian press media and the leadership, was sedition. The Sheikh had, according to them, a rethinking on Kashmir's accession with India and he felt strongly about it before and after 1953 political tragedy. According to Inder Malhotra, "What went unnoticed in October-November 1950 broke out into the open before long. The Sheikh gave an interview to Mr. Ward Price, a visiting American Journalist, suggesting that Kashmir be made independent and, with generous U.S. assistance, converted into something of an Asian Switzerland."⁴

The fervour of his concept of Kashmiriat did neither abate nor change, either under his detention or after his assumption of power in 1975. He nursed it instinctively till his last breath. Describing his passion for this identification Inder Malhotra wrote :

"In later years the concept of the Kashmiri being a quom (nation) became a virtual litany in the Sheikh's speeches which would be punctuated frequently with the slogans : 'Yeh Muluk hamara hai : Iska faisla hum karen gay.'⁵ (This country

belongs to us and its future will be decided by us.) Furthermore, Kashmiri gave him full mandate in 1977 elections only, in the hope that he alone could solve their economic and social problems. Kashmiris are a politically conscious entity—they are conscious that Sheikh's decision in 1947 to accede to India has its own compulsions, and his Accord with Mrs. Indira Gandhi was governed by many more compulsions in 1975, and consequently they raised the slogans "Ye Kari Te Kari : Bab Kari"—(let every decision be the father's decision), 'Ala Kari, Wangan Kari. Bab Kari'—(Let father decide—even if he converts us into ordinary vegetables). This National identification was a necessity for him, particularly after the Muslim League had disappointed him before partition and the Congress had withdrawn her commitment to Plebiscite after his accession to India."

Kashmir represents a common composite culture. Neither the sociology of Pakistan nor that of India (apart from composite nationalism advocated by the congress), can provide even a small area that could boast of a composite culture. According to the Sheikh, therefore, Kashmir had a personality of her own, and Kashmir was the tallest in Asia in its beauty and he was the tallest Kashmiri. In a letter addressed to Chaudhry Noor Hussain U.K., Sheikh Abdullah reiterated, "whether she (Kashmir State) should withdraw from her accession to India, and either accede to Pakistan or remain independent, with a right to claim admission as a member of the United Nations—all this we have recognized to be a matter for the unfettered decision by the people of Kashmir after normal life is restored to them".⁶

Whatever his party, whether the Muslim Conference (1931-1939) or the National Conference (from 1939-1953) or Plebiscite Front (1955-July 1975) or again the National Conference from 1975-1982, - the struggle of the Sheikh was a struggle for a sociological existence—self-existence and self-identification. To this end he fought like a lion—he remained under detention both under Dogra autocratic rule before 1947 and after independence under democratic rule. He never tired of facing ordeals and trials during his detention, and during his freedom from jails he untiringly fought for the betterment of the people.

Consequently, he sometimes played the politics of ideology as in 1939 or the politics of Naya Kashmir as in 1944 or he had to play the politics of centre-state relations between 1947-1953. As a sequel to this politics of identification, the Sheikh during his release from the jail in 1968, played the politics of *Peoples Convention*. The greatness of the Sheikh lies in the fact that he had never any bitterness against those who even as friends betrayed him. He stood high as compared to all those who succumbed to temporary gains and power—even in ordinary social life if a man is betrayed he becomes revengeful but the Sheikh never had any rancour. While inaugurating the peoples covention in 1986 he addressed the gathering in the following words :

“This is no occasion to dig the past for its own sake, to indulge in recriminations or rancour, as we bear ill-will to none. If we in this Convention seek to do any post-mortem of the past events we are solely motivated by our desire to find a way out of our present impasse.”⁷

In 1968, when he was released, he visited Kashmir and was given a rousing welcome. After the release he had the first round of talks with the Central Leadership. He had discussions with the Prime Minister, Deputy Prime Minister, Home Minister, Sarvodaya leader Jayaprakash Narayan, Bhodan leader Acharya Vinoba Bhave, opposition leaders and many others. It was believed that all of them advised the Sheikh to assess the situation and settle with central government on the existing positions within the Indian Constitutional framework. None of the leaders even were prepared to concede his demand of internal autonomy. Sheikh Abdullah had second round of talks immediately on April 28, 1968 with the central leaders—this exchange of views had no outcome like the earlier one. The Deputy Prime Minister Morarji Desai said at Jammu on April 21, 1968 :

“There was no question of giving Kashmir autonomy and the status of the State within the Indian Union—there was no question of fresh elections.”⁸

Consequently, the Sheikh had to find some other venue where the problem could be discussed and a consensus could be developed. To this end he remarked in the address to the Peoples Convention in the following words :

“The task that I have indicated above is, therefore, one of stocktaking, of heart-searching, of turning to God for His gracious guidance, so that no words that may fall from our lips may wittingly or unwittingly wound any susceptibilities or arouse any passions.”⁹

Consequently, for the stock-taking on Kashmir, the Sheikh convened what is known to our political history as the J & K State Peoples Convention. The idea might or might not have been Sheikh's original one but as P.N. Bazaz points out the Sheikh during the second round of talks with central leaders in Delhi, called on him and discussed the idea with him. The Sheikh invited him to convene the Convention and he discussed with him the prospect of anything worthwhile coming out of the deliberations.¹⁰ Five sponsors who conceived it, included Messrs Sheikh Mohd. Abdullah, Pt. Prem Nath Bazaz, Maulana Mohd. Sayed Masoodi, Shamim Ahmed Shamim and Mirza Mohd Afzal Beg. The sponsoring committee later on coopted seven more members, namely Messrs Maulana Mohd. Farooq, Moti Lal Miseri, Balraj Puri, G.M. Shah, S. Sant Singh Tegh, Ghulam Mohiudin Kara, Ghulam Mohiudin Shah (Secretary), to form a steering committee of the Convention. The Convention was held, whether it was a peoples Convention or not is a matter of opinion but the fact remains that different shades of opinion were invited to participate. People from Pakistan were invited—they however, were not granted visas by Indian Government to participate. The people from inside the valley of Kashmir and outside it were also invited and many of them participated. Some Kashmiris outside India and Pakistan were also invited—some who could not participate presented proposals to the Steering Committee of the Peoples Convention. The Sheikh's approach to the Kashmir problem emanated purely from his concept of identification of Kashmir and his moral considera-

tion. This is verifiable through the remarks made by him in his opening address to the convention :

"May we here in this Convention be influenced not by petty fogging, but by a sense of high purpose and the vision of larger human causes which transcend and cut across all barriers of caste, creed, colour, race, language and the like and underline the universality of human brotherhood and the oneness of the family of men on Gods' earth."¹¹

Amongst the national leaders, Shri Jayaprakash Narayan not only attended but inaugurated the Convention. He committed himself to it at his personal inconvenience. Sheikh Abdullah thanking him said, "His presence amidst us will, I venture to think, fortify and sustain us in our work." He added that his presence had resulted in an uncharitable view taken of his action in certain quarters.¹² However, Jayaprakash Narayan, graced the Convention and addressed it. Though more realities about the sub-continent had not come to light in 1968, yet the Sarvodaya leader emphasised the need for stabilising the accession of J & K State with the Union of India. He also declared that Pakistan had lost her right to be a party to the dispute owing to 1965 conflict between India and Pakistan. He advocated the settlement of Kashmir issue between the central leadership and the Sheikh within the Indian Constitutional framework. According to Balraj Puri Sheikh Abdullah reacted angrily to this suggestion on the spot but later he made soundings to find out the outer limits of his framework.¹³

The Convention was attended by over 250 delegates most of them represented the valley of Kashmir but others were also equally represented. However, the delegates from the valley had an advantage over others because the Convention was held at Majahid Manzil, Srinagar. The invitees from Pakistan-occupied Kashmir were not granted visas by the Government of India. The Resolution No. I recorded its strong disapprobation of Government of India's refusal to issue visas to the nationals of the state living across the ceasefire line for purposes of participating in the Convention. The Sheikh in his opening address regretted their absence in the following words :

"I cannot close this address without expressing my deep sense of grief that the powers that be did not see the wisdom of providing the requisite facilities to the nationals of the state from across ceasefire line and others to attend the Convention."¹⁴

The Convention was held at Majahid Manzil from October 12, 1968 onwards. In the beginning, its Steering Committee consisted of 12 members, but later the chairman, All J&K Peoples Convention, nominated six more members to the Committee. According to Balraj Puri, who himself was one of the members of the Committee, it changed its composition and character. P.N. Bazaz, the veteran Kashmiri freedom fighter and intellectual, acted as the convener of the Convention. In his address to the Convention P.N. Bazaz presented to his audience the aims of holding the Convention. He said that for the first time during the past two decades they had assembled in the Convention as seekers of peace and goodwill, to review the Kashmir problem, and try to evolve a democratic as well as realistic solution which might be acceptable alike to the fair-minded sections of the majority and the minority communities in the state.¹⁵ He further added that they neither presumed themselves to be wiser nor in any way saviours but in all humility they intended to destroy the rigidity in the thinking of the state people which had grown harder by the frequent failures of India and Pakistan in their talks over the dispute. He said that the sense of self-respect and national pride of Kashmiris was hurt when two neighbouring powers wrangled between them and they watched helplessly. Bazaz said emphatically "the drama has played for too long and it is time that the main actor is brought on the stage and afforded fullest opportunity to make his ideas known."¹⁶ Further, he declared that the accession issue, in the contemporary Kashmir had become vital and only the views of the ruling party and the governing elite were being heard. To him fear of imprisonment, torture and financial loss by orders of the government as punishment for holding independent views had closed the minds of the citizens and encouraged hypocrisy. Consequently according to him the aim of the Convention was

to make people fearless and frank and permit all shades of opinion free expression, enabling every one, desirous of becoming informed, to learn the complexities and implications of the problem.¹⁷

After having heard the various papers and speeches delivered by the delegates, on the issue of the state's political future, the J&K State People's Convention instructed the Steering Committee, by its resolution dated 17-10-1968, to tabulate the various presented proposals for submission and discussion in the second session of the Convention. These proposals and discussions were included in the documents of the convention.¹⁸ Later the Steering Committee appointed a sub-committee in its meeting on 17-12-1968, for purposes of tabulating the said material—the Committee tabulated various proposals and submitted its report to the Steering Committee.¹⁹ Consequently the Steering Committee, after consideration of the various proposals regarding the internal constitutional set-up of the state, laid down the broad guidelines defining the regions of the state of Jammu and Kashmir, and broad character of the internal constitutional set-up of the state in their meetings held on 13th and 14th May, 1969. The Steering Committee at the same time appointed a sub-committee to set out the broad outlines of the draft constitution, including measure of devolution of powers and functions in favour of various tiers.²⁰

In response to the assignment of the work, the sub-committee submitted a draft on 23-10-1969, broadly defining the regions, units and other tiers, and indicating generally the nature and character of powers, responsibilities and duties assignable to the various tiers. This document so submitted was, by and large, approved by the Steering Committee of the peoples Convention. Later Document "B" and Document "C" were recommended for presentation to the 2nd plenary session. The Steering Committee further requested the delegates of the Convention to guide, through expression of free views and concrete proposals, the committee in the task of evolving a formula for a peaceful, democratic, just lasting and realistic solution of the state's political future, keeping in view the interests of all its regions, as also the fact that, such a solution should strengthen the secular democratic forces, that

is, forces standing for equal rights to members of all religious persuasions, and should foster communal harmony not only within the state of J&K, but also in the sub-continent and should be in conformity with the past traditions and abiding values of our freedom movement.²¹

The Peoples Convention continued its deliberations through its plenary sessions, Steering Committee and sub-committee meeting for about two years. All the time they tried to create a consensus in evolving a solution for the political future of J&K State. Before a consensus could be evolved, Balraj Puri in the meantime initiated a controversy over the expansion in the Steering Committee which was raised from six members to 12 members by the chairman of the Convention. His protests, according to him, were to "give a big political set-back to the Convention."²² This controversy, however, was one of the reasons, in addition to many others, that wrecked the outcome of the Convention. Except some national leaders, most of the Central Leaders, intellectuals and other governing elites in India, did not react to the Convention favourably. They were already having an obsession with regard to the Sheikh and the Plebiscite Front. Further, in Parliamentary elections in March 1971, the Plebiscite Front was outlawed—wrecking the work of the Convention. Another controversy in the Convention arose out of the word "Secular". The representative from the Jamait-i-Islami Kashmir, raised an objection, for incorporating the word 'Secular' on the ground that it would have a decisive tilt towards India which was believed to be contrary to the objectives of the peoples Convention. Consequential upon these trends the convention failed to realize the cherished objectives of arriving at a consensus impartially and objectively. Let us, therefore, examine what was the nature of the proposals made during the Convention.

The Steering Committee's meeting of J&K Peoples Convention on 20th and 21st December, 1969, outlined three Documents: A, B and C. Document A tabulated the proposals and discussions, presented to the Peoples Convention in the plenary session. The sub-committee reports were outlined in Document B, which provided in nutshell different solutions of the Kashmir problem. Last Document (i.e. Document C)

provided a draft Constitution of J&K State for internal set-up. However, the different proposals that emanated from Document B were summarized as under :

1. Accession through Plebiscite
2. Accession with India
3. Accession with Pakistan
4. Independence for the State
5. Interim arrangement with the final solution after a specific period
6. Some other methods of solving the problem.²³

Nearly seventy written proposals were examined by me—these proposals were circulated to participants by the secretary of the Steering Committee of the Convention. The delegates, interested parties and individuals were required to present proposals in line with the summary of various basic stipulated solutions in the Document B. However when the proposals were made by the participants, each had a different methodology in presenting them. The chairman of the Peoples Convention, Sheikh Mohammad Abdullah, acted as an elderman who heard, deliberated like a father who looks at his children wrangle with one another. Consequently, in his opening session address he like a 'Baba-e-Quom', spoke :

"Gentleman, I have permitted myself a few reminiscences in the hope and belief that God in His infinite mercy may guide our labour here so that it may never be said that we failed ourselves and our people at this supreme hour of our destiny. May the people of the State of J&K, the people of the sub-continent, and the people of the world at large, be able to live a life free from fear and exploitations, and may all nations, big or small, be able to fashion their lives according to their own needs without let or hindrance by others ! May we here in this Convention be influenced not by petty fogging, but by a sense of high purpose and the vision of larger human causes which transcend and cut across all barriers of caste, creed, colour, race, language and the like and underline the universality of human brother-

hood and the oneness of the family of men on God's earth."²⁴

Out of the proposals that were examined by me some represented certain political parties. The Plebiscite Front, under the chairmanship of late Mirza Afzal Beg and under the patronage of Sheikh Mohammad Abdullah had influenced the Muslim power base more in the State of J&K from 1956 till 1974. However, immediately before and after the Conversion of the Front into the National Conference, this influence diminished to some extent. No doubt, the objective of the then Plebiscite Front was well known. Sheikh Abdullah and Mr. Beg's views with regard to it are mostly known and usually repeated and quoted in their party literature ; however most of it is suppressed by the intellectuals outside the state and the Congress Leadership. The views of the Sheikh and Beg, however, were usually used by the Central Leadership and the opposition as an instrument of whipping them to silence. In 1960, the Sheikh wrote to a sympathiser in London, "Ever since 1931, when the national movement was launched, our ideal has been a right of self-determination for the people of the state, and to that end I am contributing my humble bit.... This right of self-determination of a people is no new slogan, much less is it a novel demand. It is universally recognized right, and is the sheet-anchor of the United Nations Charter.... Yet, Kashmiri people are today suffering incalculable hardships for the achievement of this right, otherwise conceded to every nation."²⁵

In 1958, on the release of the Sheikh from the prison he advocated the right of self-determination in a long statement. In its analysis his statement had the following three main characteristics :

1. Until the future of Kashmir was decided, the people of the state would not be protected against uncertainty, economic degeneration, mental crisis and other troubles.
2. As long as the schism between India and Pakistan existed, not only Asia would be instable but it would be even responsible for the annihilation of the State.

3. The future relations of J & K be determined by the people of the State. The only way to take the decision was to permit the people to exercise their right of self-determination, under the auspices of U.N. as agreed to by the concerned parties.²⁶

Similar to the Sheikh, Beg Sahib, the founder chairman of the Plebiscite Front, was equally forceful in his argument from 1956 upto 1974. He said in 1974 :

"The alleged guilty had only one so-called guilt that they sided with the Sheikh's golden principles birth right . . . The Plebiscite Front had its origin under the bayonets of Army and police . . . but loved and reared in huts by common people."²⁷

The Plebiscite Front and its leadership—with the common man under the spell of the Sheikh's charisma—continued the struggle from 1956 uptill 1974. Its workers, however, like the common men in the muslim power base of the State, did not know the meaning of the slogan "Rai Shumari Forun Karao" (Let the plebiscite be conducted immediately) as none knew plebiscite for what it was. Consequently, the meaning of the word plebiscite had the same connotation as 'beauty' for Mrs. Gandhi when she replied a questioner, "Beauty lies in the eyes of the beholder."²⁸ In the hearts of Kashmiris lay the value of the plebiscite for their identity, and a separates entity. Those of the workers who were invited to the Peoples Convention or were invited to present written statements, had naturally the eye of the beholder." For instance one of the workers wrote in a written statement that :

"In the light of the documents adopted by the Steering Committee, the Honourable, Equitable and Realistic solution of the issue in my opinion is that the problem must be settled by a free and fair plebiscite and the people of the State of J & K be given their birth right, the right of self-determination to decide their future, in

accordance with the resolutions passed by the United Nations."²⁹

Similar to this sentiment was the proposal made by another plebiscite top hierarchy leader when he said that the first endeavour of the Convention should be to settle the issue under the agreements and commitments made by the government of India and the leadership of J & K State, and that this party, the Plebiscite Front had always declared it that the sovereignty lay with the people. "It must be ascertained by free and fair plebiscite as both India and Pakistan are committed to it. This method alone can decide the future of the State."³⁰ Still another attacked Jayaprakash Narayan on the ground that he had killed the spirit of the Convention by talking against the purpose of it in his inaugural speech. He believed that the state of J & K was a unity and no decision on the regional basis would be acceptable to him that the finality lay in the majoritarianism.³¹ Many others³² from the Plebiscite Front organisation, with different methods of conducting the Plebiscite, provided emphasis on the right of self-determination. True to their salt, these members did not know the connotation of the right of self-determination in the international context, as most of the leadership of the National Conference in 1947 did not know the connotations of accession with regard to Defence, Foreign Affairs and Communication. These are nearly forty-five proposals which directly relate to the claim of plebiscite as the solution of the State. Similar to this view are the views of others who desire an interim arrangement till a final settlement with the help of the method of plebiscite to ascertain the views of the people, is made. The interim arrangements either relate to the U.N.O. supervision or to the joint control of the governments of India and Pakistan. However, in their undertones, all aspects of plebiscite relate to Kashmiris separate entity.

Next to the Plebiscite Front, was another organization namely Awami Majlis Amal which, since its inception as a political party, stands committed to plebiscite to resolve the Kashmir tangle. Its chairman spoke at length in the Convention and the brochure later published by the secretariat of the party, provided the full context of his speech. In the beginning

he explains that he participated in the Convention not in the spirit of seeking to play a role of a preceptor but was animated by the desire to know more of other people's views on the problem of Kashmir. It was followed by Maulana's analysis of Kashmir dispute, tracing its history from August 1947. According to him the accession was provisional made under very abnormal and trying circumstances and, consequently it was involuntary. Further he explains how Pakistan was a party to it and why the compulsions of circumstances needed to bring about Indo-Pak unity. In the next breath the Maulana pleaded that elections and plebiscite were not synonymous. He said,

"So far as the question of elections is concerned, I have made it clear from time to time that I am not in principle opposed to taking part in such elections because elections are the very breath of democracy. But when it is sought to invest these elections with a character which does not properly belong to them and an attempt is made to treat them as a substitute for the promised referendum or plebiscite then these elections might prove to be a snare and a delusion.... The most important reason which weighs with us in shunning these elections, is that they are by a strange logic sought to be regarded as substitute for the promised plebiscite or referendum."³³

In his conclusion and the reaffirmation of his stand Moulvi Farooq reiterated that his party did not regard the question of accession to have been finally decided. They held that the Indian Independence Act 1947, postulated that on the lapse of the British suzerainty over the States gave them the option to accede to one or the other of the dominions of the sub-continent. Soon after, the independence of India and creation of Pakistan led to communal riots outside the State and its repercussions in the State had its own compulsions. So he stated in the Convention :

"The people of Poonch, Mirpur and Muzzefarabad demanded the State's accession to Pakistan but the

people of Jammu advocated the accession of the state to India. The matter did not rest with the adducing of arguments and counter arguments, the whole of Jammu was aflame and the people of Kashmir, who wanted to settle this matter peacefully and amicably were affected by these developments. A time came when the Maharaja's authority collapsed and he fled the capital of Kashmir, Srinagar, and on arriving in Jammu asked for India's help but India laid down an unequivocal condition while accepting his request for armed assistance, that this accession would be purely provisional and had to be affected merely to get over a legal difficulty but as soon as law and order was restored, the people of the State, would be given a fully and final opportunity to decide this matter themselves."³⁴

According to Maulana, the historical realities had made them to believe Indo-Kashmir relations to be temporary in nature and that until the people's opinion was sought, no permanent relations could develop. He referred to the Security Council Resolution, dated 13th August 1948 and 5th January 1949, to prove his contention that plebiscite was the birth right of the people of J & K. According to him, India, Pakistan and Kashmir had under U.N. Resolutions accepted plebiscite to be the solution of the dispute and hence if India considered it impracticable, then the onus of finding a solution weighed on India. According to him, "the onus of finding such a solution does not lie on the two parties who still adhere to that decision but lies clearly on that party which has second thoughts on that question."³⁵ The Maulana thought that India had taken a queer position in this respect. It has accepted plebiscite as the best solution to this problem. It has stood by it for long years and had acknowledged it to be the best solution in the Security Council and now it was resiling from it and while doing so, it did not put forward any other solution to the problem but called upon others to do so. In his undertones as well as in overtones the Maulana was unmistakably talking of the same Kashmir identity, which is the result of an age-old patriotism of the people in the State. It is in this context that:

his chauvinism was reflected in the words : "We, therefore, proclaim that this country belongs to us and we shall decide its destiny."³⁶

Another representation on behalf of the Awami Majlis Amal, was made through the speech delivered by Ghulam Hassan Inquilabi. The speech at the end was signed by some more members, ostensibly giving a proper moral base to the contents of the speech. Nothing beyond the usual argument that India had betrayed Kashmiris by withdrawing its earlier commitments, was stressed. It said at the end,

"Our organization, Awami Majlis Amal believes that no solution other than fair and free plebiscite can solve the Kashmir tangle and I invite all my friends to this goal of our organization."³⁷

Apart from the Plebiscite Front and the Awami Action Committee, there were many individuals who subscribed to the view of plebiscite but with interim arrangements like Indo-Pak joint control or U.N. supervision over the State, until the opinion from the people of J & K could be ascertained. One of the participants argued that geographical contiguity necessitated Kashmir to accede to Pakistan and accession to India as such was unnatural. Examining the history of Kashmir in its resume the proposer contended that the accession with India was made without a mandate from the people. According to him India's case in Kashmir stands on the provisional agreement signed by the Maharaja at Jammu on 26th Oct. 1947. He contended that his provisional agreement between India and the Maharaja was subject to the condition that the future of State would be decided by means of a plebiscite or a referendum. According to him referendum implied a direct reference to the people on a specific issue. The elections for a legislature or a constituent Assembly, to him, would not be taken as a referendum on the future of a State.³⁸

One of the proposer believes that a peaceful, democratic, just, realistic and lasting solution is one that will re-affirm the principle enshrined in the Security Council resolution of 1948, 1950, 1951 and UNCIP resolution of August 1948 and

January 1949, which tantamounts to the same principle of ascertaining the public opinion through plebiscite. However, the methodology he suggests is reflected through the proposer's statement :

"It means that all armies and police and officers and officials, who are not subjects of the State and all non-State subjects of the state must vacate the state territories to allow the State people to work out their own destiny without intimidation, force, coercion or desirable pressure tactics."³⁹

Here again the proposer visualises Kashmir as a separate entity without having anything to do with either India or Pakistan.

Many of the participants emphasised the Indo-Pak amity but while suggesting ways and means to that effect they had to rest contended with the same slogan of "Rai shumari Foran Karao" (Conduct plebiscite at once). For instance a legal luminary of Kashmir said,

"We cannot force any solution on India or Pakistan. Till these two countries see the wisdom of coming together and resolve their differences, we have to carry on the campaign of promoting amity and goodwill between them. I visualise that in the end the Kashmir dispute will have to be settled at a Round Table Conference in which the governments of India and Pakistan would sit together to end the deadlock and in which the leaders of this State would be asked to participate, because after all it is the destiny of the people of this State which will be determined at that Conference."⁴⁰

A lawyer and Justice, recollecting a case from Indian Constitutional history pertaining to All Parties Conference under the chairmanship of Pt. Moti Lal Nehru in 1928, to frame a Dominion Constitution, realised that the conference could achieve nothing substantial from Indian people. Consequently the participant proposed to decide the Kashmir Constitutional framework with the consent of the people by referring it to

them. He, however, traced the history of the issue in the U.N. and discussed the statements of Nehru in Parliament. Finally he said that the contemporary history offered a nearest parallel and a fair guidance to the Convention in seeking a solution to the Kashmir problem. He said that he had in mind the modus vivendi reached between Britain and Iran over the future of Bahrein. In the dispute he said, a mutual agreement arrived at by them was to refer the matter to U Thant the then U.N. Secretary-General, who would, in his personal capacity, appoint a personal envoy to determine whether the people of Bahrein would accept the Iranian claim of sovereignty, or wanted independence and further commitment that the verdict so arrived at would be acceptable to both Iran and Bahrein as a free expression of the will of the people.⁴¹

Muftis by itself represent a class. Since the advent of Muslim Rulers in Kashmir, and later through Moghuls, Pathans, Sikhs, and Dogras, the class continued functioning as shariat courts in all areas of the Muslim power base, domiciling chief Mufti (Mufti-e-Azam) in Srinagar. Maulana Bashir-u-din, as Mufti-e-Azam, as such read out his paper before the Peoples' Convention. He was categorical in reiterating what he had said on platforms, that plebiscite was the only peaceful and just solution to resolve the Kashmir dispute. In this statement he traced the legal history of Kashmir—analysing the instruments of accession and the correspondence between Governor-General of India and the Maharaja of J&K, and discussed the resolutions of the U.N.O. to emphasise that plebiscite was a just demand. After having discussed all the alternatives and after commenting on rigged and false elections for more than twenty years he said,

"My opinion and the opinion of fifty lakh Muslims is also the same that the Kashmir dispute be decided through right of self-determination and there is none of the solutions which can be its alternative."⁴²

Those who were categorical in providing a solution, however, in one way or the other were entrapped in the principle of consent of the people or acceptability by the people etc. For

instance one person proposed that the State be put under a U.N. mandate for 10 to 15 years but at the same time he said that the proposal be placed before the governments of India and Pakistan, with a view to securing their consent. Later, he thought, a free vote of the people was to be sought to get the proposal endorsed in a referendum.⁴³

G.M. Zuhara, an advocate, a freedom fighter and minister during Sheikh Abdullah's first phase of administration, was of the opinion that J&K dispute be settled in accordance with a joint control of the State by India and Pakistan. He advocated, like some others, fair elections to form a national assembly and suggested that State subject be provided double nationality i.e., he should be treated a national of both India and Pakistan. Zuhara did not want that after creating a peaceful atmosphere releasing all prisoners there should be repetition of solemn pledges given to the people of the state both on the national as well as on the international forums for their right to determine their own future but India, Pakistan and Kashmiris be permitted to evolve a solution through the national assembly impartially elected to decide the issue in accordance with the wishes of all the regions of the state.⁴⁴ Like the advocate, Ghulam Hassan Kant also talked of free elections to the National Assembly and final settlement through their representatives with the governments of India and Pakistan. All such proposals, like others smacked of the plea for recognising the sovereignty of the people.⁴⁵ According to one proposer the sole voice of the people was enshrined in the demand for plebiscite and in his opinion he was, with the help of God, destined to achieve it and he assured the Sher-i-Kashmir and Qaid-e-Kashmir of its realisation by all means.⁴⁶

During the years 1958 to 1973, plebiscite had become a passion. Every one, child, youth, man and woman were conversant with the slogan of plebiscite. This is reflected by the statements of all participants. Some who had been associated with the freedom struggle were aware of the internal constitutional set-up envisaging constitutional monarchy with National Assembly in the Naya Kashmir document. Some consequently agreed on Indo-Pak amity, cultural affinity between India and Pakistan as an interim arrangement through a

National Assembly and finally a settlement through the method of plebiscite. The interim period, according to some, was from five years to ten years. Finally all of them conceded the same principle of plebiscite⁴⁷ which by and large has become a mirage for all the people of Kashmir.

Balraj Puri's assertion that more participants representing Kashmir valley were invited may be correct but the peoples Convention assuredly represented almost all shades of opinion. Amongst non-muslims excluding the veterans like Jayaprakash Narayan and Pt. P.N. Bazaz, many others participated. To the surprise of many communalists of India these participants advocated plebiscite as a genuine, just and desirable method to solve the Kashmir dispute between India and Pakistan. Shyamlal Yachu after stating and shedding light on the genesis of the Peoples Convention and later considering the time lag between the first and second session, opined that considerable damage had been caused to the functioning of the Convention. At the end he said that without any equivocation the peoples solution was the best solution to the dispute. In this context he observed :

"While such a solution is consistent with all the accepted cannons of democracy, it at the same time in no way contravenes the guideline laid down by the Steering Committee of this convention or the resolution we adopted here in the last session. Let me state frankly, I have no other solution in my mind. But at the same time let me declare without any let or hindrance that I shall not be averse to any other solution that might emerge here in this Convention but will consider it in all sincerity provided the same is based on our basic assumption that people are masters of their own destinies and that while solving the dispute the urges and aspirations of the people of the State are kept in view."⁴⁸

Similar to this view yet another view was expressed by a sophisticated non-Muslim who remarked that other parts of India had forgotten the message of Gandhiji but Kashmir had continued the light so far. He said that with pride one

could claim after the great leader Sher-i-Kashmir that "sovereignty is the birth right of the people".⁴⁹ Another participant from Jammu submitted a briefly worded but categorical statement much in the same view. It read as :

"We desire a united State and keep it as a buffer and demand from India and Pakistan to grant us the right of self-determination."⁵⁰

Discussing the objectives of the plebiscite Front another proposer from Jammu, emphasised that Plebiscite Front stood for Hindu-Muslim and Sikh unity in the State and, consequently according to him, plebiscite was the desirable instrument to ascertain the will of the people. He advocated Indo-Pak amity and finally settlement of the issue through Plebiscite. For internal structure he visualised the establishment of National Assembly through fair elections.⁵¹

Another group of proposers consisted of those people who either belonged to "Azad Kashmir" or to England but by origin belonged to J & K State. The invitees from Pakistan were not granted visas by the government of India for reasons known to them. However, amongst many invitees from Pakistan, was a political luminary Hazrat Maulana Mohd Yousuf Shah and his other lieutenants, but to the great sorrow and dismay of Maulana Farooq, the government of India had thought it fit not to permit their entry into the State.⁵² There were five documents examined by me which were received from the "Azad Kashmir" Pakistan. Amongst them two proposals were received from one organisation—namely J & K Plebiscite Front Mirpur, Azad Kashmir. One of the proposals was detailed which was adopted by the Central Working Committee of the J & K Plebiscite Front held at Rawalpindi on 22nd and 23rd March 1970. The initials of the Resolution reflected utter dismay, nerve-racking suspense, victimization of pathetic and agonizing conditions, schism between India and Pakistan as the sole outcome of the Kashmir dispute since 1947. It, therefore, declared that under the prevailing circumstances the organisation was full of admiration for the laudatory efforts of the

Steering Committee of the State Peoples Convention to evolve a formula for a peaceful, democratic, just and realistic solution for the political future of the State. The resolution in its fundamentals analysed the Kashmir dispute in its historical perspective from 1947, and held the right of self-determination to imply the sovereignty of the people. It says, "we cannot, therefore, accept a position which militates against our stand for unqualified and unrestricted right of self-determination, or which jeopardises the integrity of our country."⁵³ Finally in their proposal the Front desired that all the foreign armed forces and armed police be withdrawn from the parts of Kashmir, occupied by India and Pakistan and the State army be re-organised, all roads to be re-opened, artificial and arbitrary ceasefire line be removed and a fair and impartial election be held so that the pre-partition State was united. Consequential upon the emergence of the State of J & K as it existed prior to 1947, with its own government and institutions, the Front desired that the Plebiscite should be conducted after five years of State rule on the following alternative solutions to the question :

1. Accession with India
- or 2. Accession with Pakistan
- or 3. Independence of the State.⁵⁴

Synonymous to this proposal is the proposal of Choudhary M. Sharif Tariq, president J & K Plebiscite Front Mirpur, Azad Kashmir. In its last para the president says,

"The internal constitutional set up of J & K published by the J & K Convention Steering Committee of the Plebiscite Front on this side of the ceasefire line. It was felt that in the event of a plebiscite to determine the future of J & K, this draft Constitution, proposing a five-tier set up for the administration, could prove a guideline for the interim administration, which is to conduct the affairs of the State till a plebiscite is finalized."⁵⁵

Similar to these ideas were the individual proposals made

by other three—amongst them being Abdus Salam Yatu, a freedom fighter and a progressive, who was an ardent associate of P.N. Bazaz before 1947 ; he proposed in his paper a deviation from the normal plea of plebiscite. He was interested in establishing a Fact Finding Mission consisting of nine members. According to him all the men associated with the Commission should be men of integrity representing five from Muslim community, four from non-Muslim communities, one each from Buddh, Sikh, Jammu Hindus and Kashmiri Pandits. He desired the Commission to be deputed to tour all parts of the J & K and collect all information about the happenings of past 22½ years and submit the same to the peoples Convention for evolving a peaceful solution. He, however, believed that such a solution must emerge as was peaceful and just and as might pave the way for a lasting friendship between India and Pakistan thereby strengthening the secular and democratic forces.⁵⁶

Having examined three proposals from Kashmiris domiciled in London or the organisations thereof, one concludes rightly that the immediate settlement of Kashmir dispute and preserving the identity of the State, according to them were a necessity. Kashmir Liberation Council supported every useful move, in their opinion, which could lead J & K State to freedom from the unwanted and abhorred domination of India. It resented the way Kashmiris were being deprived of exercising their right of self-determination. Consequently, according to it the only just solution of the Kashmir issue was—as it was promised and repeated by India time and again and also resolved by the United Nations—that the future of Kashmir be decided by the Kashmiris themselves.⁵⁷

No doubt, amongst many in the Convention, favoured the status quo (accession with India) and demanded the so-called Azad Kashmir to be annexed with the Kashmir valley. Hardly eight or nine participants exclusive of the veterans like Jayaprakash Narayan and others of the ranks lower than his, conceded either through proposals or speeches that accession of J & K State with India was justified owing to the lapse of time and circumstances during the first two decades after accession. A proposer remarked that the Convention had to take into con-

sideration the limitations that the time had imposed on them—and according to him the best solution could be to demand greater internal autonomy for the State, and he requested all to work towards that end.⁵⁸ Second to this belief was the well-known poet and litterateur Ghulam Nabi Khayal who in his appeal to the participants and particularly secessionists desired that they should enter the political arena within the Indian constitutional framework and fight for their rights. He also appealed to the secular and democratic forces of India to work towards the integration of the State by curbing the communal riots in India and also the reactionary forces and win over the hearts of the people of J & K. He stressed the need to democratize the various political institutions by requesting the secessionists to fight the elections after ensuring that they would be fair and impartial. That alone, according to Mr. Khayal, could serve the people of Kashmir and ensure their cultural identity.⁵⁹ Another gentleman thought that the Convention had a limited scope and that if a thread was stretched beyond its strength it finally snapped. So he appealed to all the participants that they should, without bothering about accession, “free the State from opportunists and puppets, who sometimes break ballot boxes and reject nomination papers to keep their chairs intact and not only this, they also try to paint a wrong picture before their so-called bosses in the centre.”⁶⁰ The Indian case is well justified by Mr. B.N. Pestonjee. According to him Plebiscite has certain pre-requisites, especially withdrawal of armed forces by India and Pakistan which they have not been prepared to do and consequently it is unworkable as Pakistan has not enough strength to push India out of Kashmir. Pestonjee believes that independence of the State is unthinkable because it is these two neighbouring countries who should guarantee it. These two governments are not prepared for other interim arrangement—consequently the people of J & K particularly the Muslims of Kashmir should work towards the restoration of confidence of Central leadership. They must foster unity among the people of Jammu, Ladakh and Kashmir. He writes that, “if the Kashmir leadership is able to muster and foster in the masses unity of purpose, which they should manifest at the time of the General Elections of 1972—

and to that end the leaders should divert all their energies unitedly to train and educate the masses, and in a democratic set up, “the will of the masses is the will of God” then it shall prevail.⁶¹ Still another, a Kashmiri Pandit, presented the Government of India’s stand. He felt that until Pakistan vacated aggression or was prepared for a compromise, status quo should be maintained. He thought of three legislatures—one representative of the valley, another of Jammu and third representing Ladakh, so that constitutional set up could be determined between the Centre and the State of J & K.⁶² Another proposal vouchsafing the Indian accession thought that the solution lay in Indo-Pak amity but we could bring it only if in the state we were able to suppress communal tendencies and permit secular and democratic forces in Kashmir to flourish so that the enemies of democracy were eradicated. Ved Bhasin had a long paper to present in which he rejected all solutions through the law of elimination and restored the position that the leadership should educate the people to make reconciliation within the Indian constitutional framework.⁶³

Lastly, we examine and evaluate the proposals of those participants who demanded that the State of J&K be declared as an independent State either under the U.N. auspices or under the Indo-Pak joint control. Indo-Pak joint control was expressed in the proposals of those persons as well who thought it to be an interim arrangement between the implementation of their proposal upto the time of the actual conduct of Plebiscite. Those who sought “Independent Kashmir” were either individuals or belonged to organisations. All of them treated J&K as a nation in its own right. Though the great charismatic leader Sheikh Mohd. Abdullah had in mind this type of nationhood, yet he lost the opportunity in 1949. One of the precise proposals for “Independent Kashmir” emanates from the same concept of Kashmir having a personality of her own. In this connection it may be conceded that most of the proposals preferred this personality by supporting the establishment of an independent State (comprising the territories ruled by His Highness the late Maharaja Hari Singh before 1947). According to the plan the State should have a federal form of government, with its constitution envisaging greater

amount of autonomy to the federal constituents : The unity of the State are envisaged to have no right to secede from the federation. The two parties to the dispute, other than the Kashmiri, namely India and the Pakistan are stipulated to guarantee Kashmir's independent status. The state of J&K is envisaged to have decisively cordial relations with both the republics. Accordingly, the agreements with regard to matters of common interest are envisaged to be concluded after formal negotiations between legally and democratically accredited representatives of the three parties.⁶⁴ The same sentiment is enshrined in other four proposals—One seeks independent Kashmir with the assurance to the State that none of the neighbouring countries opens war against it. The other proposal is by a well-known-freedom fighter Sofi Mohd. Akabar (Sopore) who in the beginning of his proposal suggests plebiscite but in the last para presents "Independent Kashmir" for which, according to him, public opinion is already ripe. He stipulates free trade between Kashmir and two dominions of India and Pakistan. Still another talks of the same sentiment arguing that independent status is viable. After tracing Kashmir history briefly he suggests that even Naya Kashmir envisaged an independent state with an independent economy of its own. Further he quotes examples of England, Burma and Ceylon and says that if these countries are dependent for many commodities on others, independent Kashmir also becomes viable on the same pattern.

One proposal from London suggested the same scheme with just a modification as against others. It only subjected the independent Kashmir to be a secular and democratic State in the following words :

"We believe that the majority of the inhabitants of Jammu and Kashmir irrespective of religion, race or creed are prepared to opt for a free and independent Kashmir."⁶⁵

Another proposal from U.K. suggested the "Independent Kashmir" as an ideal solution but with federal structure for the internal constitutional framework.

Apart from plebiscite as the solution for the State of J&K

or accession with India or Pakistan or other interim arrangement with final settlement after a specific period and other methods either involving joint control of India and Pakistan or U.N. control, almost every facet were discussed in the Peoples Convention at Srinagar or in Jammu from 1968-70. The Peoples Convention did not play miracles in solving the Kashmir dispute like earlier attempts either by U.N.O. or by Indo-Pak parleys. Even in the second session the leaders were critical of the functioning of the convention. One of the participants said that on October 17, 1968 they had passed a resolution instructing the Steering Committee to tabulate material then presented as early as it could be possible but complained that they were meeting after one year and seven months. He further added, "With this speed, people, who had pinned their faith on this Convention, must be feeling frustrated. I for one, can no longer blame the U.N. or for that matter India and Pakistan, for not making the issue seriously when we, who are directly affected, give ourselves the impression of being so slow, carefree and casual."⁶⁶ Initially the controversy, as already said, arose on incorporating the word "secular" as the basic framework round which a solution for the problem could be sought. As a matter of ideology, the controversy was evoked by the representative of Jamat-i-Islami Kashmir. Unaware of the history of Kashmir problem, the representative of the Jamat, true to his salt, could not digest the word. Had he known that secularism is not of Indian character for Kashmiris but is indigenous, he would have acted and behaved otherwise. He had not the understanding of the reign of Zainul-abidin who was the founder of secularism in Kashmir, even more than hundred and fifty years before Akbar's secular tendency in Indian history.

Adoption of secularism, or the word 'secular' in the Resolution of the Steering Committee dated December 21, 1969, was interpreted in different ways. Jamat and the participants holding Indian point of view including socialists (whose representation was minimal) interpreted it the same way as Indians treat secularism in their own Constitution or as the Indian political and legal luminaries define it from time to time. The Kashmiris who advocated plebiscite as the solu-

tion to the problem understood it as it has emanated from their practical life and composite culture since the reign of Zainul-abidin or Badshah. To some Kashmiris there was no objection in using the word. To one it meant non-communal and consequently he desired every well wisher of India, Pakistan and Kashmir to eradicate the communal strife and the slaughter of the innocent people in the sub-continent.⁶⁷ Balraj Puri, dreamt of the solution of Jammu tangle through the adoption of secularism—according to him the Convention itself marked a decisive tilt back in favour of India in Kashmir politics. To him, over 250 delegates mostly from the valley suggested that any solution of the State's future should be peaceful, democratic, just and realistic and it should keep in view the interests of all the regions, strengthen secular, democratic forces, foster communal harmony in conformity with the values of the Freedom Movement.⁶⁸

This contention of Mr. Puri is worth conceding but with reservations. He forgets that most of the delegates (over 250) to be exact, nearly three-fourths of the members in their proposals suggested plebiscite to be the basic method for the solution of the Kashmir problem. If plebiscite could be favourable to Indian scheme of Kashmir settlement, he could claim the Convention to have the tilt in favour of Indian stand. In his own ideology, Balraj Puri has the contradiction of an intellectual. On the one hand he is interested in the full accession of the State with India thereby accepting the principle of majoritarianism within the Indian constitutional framework and on the other he looks at the majority of population in its three regions, viz. Kashmir, Jammu and Ladakh, to belong to three political aspirations as the single most prominent cause of tensions and instability in the State.⁶⁹ In full accession he is safeguarded against Hindu majoritarianism and in federalization of the State of J & K, he desires equal share of Hindu based Jammu as against majority based Jammu and Kashmir. The so-called political aspirations of the people of Jammu and Ladakh today and the five-tier internal constitutional set up envisaged in the Documents of the Peoples Convention actually have their genesis in 1952, Praja Parishad movement for full accession of the State. After all who were the leaders who

educated Jammu people against the domination of Kashmir majoritarianism?—the same people who created a cleavage between Delhi and Kashmir leadership—bureaucracy, intelligence and the reactionary. Possibly on this account the Sheikh had learnt the lesson and kept three options open before the Constituent Assembly as early as 1952. Inder Malhotra in his *Memories of Sheikh Abdullah* concludes rightly :

“Ironically, the seeds of the bitter harvest that the country was to reap in Kashmir in 1953 could have been discerned at the inaugural session of the Kashmir Constituent Assembly itself. But these were practically unnoticed, thanks to the prevailing euphoria. In his opening address to the Assembly, the Sheikh had said, ‘This is a day of destiny—a day that comes but once in the life of a nation.’ In the same breath he also declared that Kashmir’s accession to India was irrevocable, but the emphasis on Kashmir being an entity separate from both India and Pakistan was unmistakable.”⁷⁰

Consequently, to correct the presentation of history it may be assured that the proposals and discussions in the peoples Convention revealed, beyond doubt, the same emphasis on Kashmir being an entity separate from both India and Pakistan. The Sheikh, unmistakably, as the Baba-e-Quom, struggled and suffered for the same cause during his life time. To this effect the evaluation of the documents prepared by and presented to the Convention reveal that consensus for plebiscite is nothing but an emphasis on Kashmir as an entity and personality by itself. To the people secularism, socialism and democracy are their own jurisdiction—it lies in their own collective wisdom to find ways to accomplish their goals set out in their Constitution of Naya Kashmir. How these proposals and discussions reveal this phenomenon of separate entity, may be examined and evaluated in the pages that follow.

Sheikh Abdullah, as Mrs Indira Gandhi has aptly remarked, was the tallest of Kashmiris and at the same time it would be pertinent to say that he was Kashmir and vice-versa. He was a man of power, wrote, “The Times of India”, in every sense

of the term and there was something elemental about his towering personality⁷¹—and this “elemental about him” was complexity of Kashmir culture. That is the reason why he was greatly betrayed by his foes as well as friends. That is why in him lurked the Kashmir personality. That is why he frankly admitted while writing to Mrs Gandhi that ordinarily the broad principles of the partition of the sub-continent might well have taken the State to Pakistan in 1947, but for various reasons things happened otherwise. He thought it happened because of Kashmiris basic ideals and fundamental values which coincided with the principles India stood for. The leadership of the National Conference supported the accession of the State with India, on the basis of the instrument of Accession signed by the Maharaja. According to him the minorities within the State, no doubt, felt secure once the leadership of the National Conference decided to throw its lot with India, and their support was, therefore, assured but he questioned—what about the Muslim majority of the State? The Muslims of the State were simultaneously a minority in relations to all India population and a majority within their State. Therefore, all fears and apprehensions that they would be dominated by all India majority had to be dispelled and they had to be assured that within the State their rights as a majority would be guaranteed. Their fear-complex could be dispelled only by ensuring complete internal autonomy of the State as envisaged in the Instrument of Accession signed by the Maharaja. He supported these fears by saying that he had no doubt in his mind about the manner in which the government of India systematically eroded both the letter and spirit of the special provision of the Union Constitution, jeopardised the very foundation of the relationship so laboriously built over years of tireless effort and dedication. He recalled in his letter with pain and anguish that once a former Home Minister of India publicly characterized Article 370 as a tunnel obviously implying that through it the internal autonomy of Kashmir would be eroded and this exactly was assiduously accomplished behind their back after 9th August 1953.⁷² The Sheikh, earlier to this letter, had the same sentiment while discussing

the future of Kashmir in the All J & K Peoples Convention. In the Convention he spoke with the same emotional drag :

“For it is their (people of Kashmir) welfare, their happiness which should in the ultimate analysis count; and the world community and particularly the two great Countries, India and Pakistan, should see our plight and lend a helping hand, so that we may fashion our destiny according to our wishes and the genius of our people, in a free atmosphere not vatiated by force or coercion but assisted by the mutual goodwill of our two great neighbours.”⁷³

Thus the Sheikh, conscious of the Kashmir personality, identity and ego, till his last breath, stood to vindicate it. Just before his death, he said, “Neither India nor Pakistan, can enslave the spirit of great Kashmir.” This aspect of Kashmir politics was vindicated by the proposals and discussions of the J & K State Peoples Convention and this aspect we evaluate in the following pages.

In plebiscite, Indian leadership and intellectuals and others saw a sinister game of the Kashmir Plebiscite Front leaders, or later the National Conference leadership, to join Pakistan. Pakistan also found it suitable to foster both at national and international levels the accession of Kashmir with her. However, the proposals and discussions in the State Peoples Convention reveal that it was to seek Kashmir identity separate from India and Pakistan. While P.N. Bazaz analyses Kashmir in the historical and futurological perspective, he finds all the three alternatives as fraught with danger. He believes that Indian nationalism has been weighed and reweighed by us in the scales of secular democracy after 1947 and found wanting. Its failure according to him, is writ large in the increasing number of communal clashes all over India in the past years in which members of the minority communities have suffered to a maximal magnitude. Though India is professedly above prejudices of caste, race and religion, Indian Nationalism to him, is in practice heavily influenced by the caste and communal prejudices. Bazaz, therefore, rejects it as unsuited to what he calls, to our way of life and temperament.”⁷⁴

In the same breath Bazaz finds it difficult to imagine that as a part of Pakistan, Kashmir could have a healthy growth, and prosper. According to him the deep and vital differences between the philosophies espoused by the two people forbids affiliation. The experience of our brethren living in Azad Kashmir is not encouraging, to say the least. The third alternative of declaring Kashmir as "Eastern Switzerland" is not viable according to Bazaz. However, the tone of "Kashmir Personality" is revealed in every word and every sentence of his books that he has written on Kashmir. Further his political behaviour has proved beyond doubt that he is the first and the last intellectual amongst the leadership which had emerged during the struggle for freedom in Kashmir and fought till his end. In the Convention also he spoke with the same vehemence as he had done in his writings, upholding the distinct "Kashmir personality" amongst the societies around us. He said,

"The issue possess a challenge to our spirit of patriotism and sense of statesmanship. If we do not respond to it appropriately we shall not only be held guilty by the present generation for having created the mess but will also be denounced by many generations to come."⁷⁵

In the beginning of the speech he quotes Rajtarangni as,

"Such is Kashmir which can be conquered by force of moral merit but not by armed soldiers."⁷⁶

Such is the Kashmir personality that every participant in the Peoples Convention who thought plebiscite to be the just solution for the problem, first of all struck the same note. One of the participants noted that ours was a very old country, possessing a distinct nationality, character, language, dress and body of customs, beliefs and practices and that we had no counterparts in India or Pakistan. He thought that history supported him that Kashmiris be permitted to be alone. He further added that a Kashmiri possessed an individuality and national character which clung to him wherever he went. He might settle anywhere, his dress and manners might have some change

but he had unmistakable signs of a Kashmiri origin even on a foreign soil. According to him he was a bird who was content on his own branch. After describing how a Kashmiri withstood the onslaughts of history through various invasions Mr. Mukhmoor forestalls that the forces of resistance in a Kashmiri never slackened. The proposer further believed that when everything else failed the patriotism of a Kashmiri remained.⁷⁷

Another Kashmiri, conscious of his belongingness to a Quom (nation), after exalting the right of self-determination, provided an equal emphasis on Kashmir's entity. To him Kashmiris ought to be free to choose their own representatives—they ought to be free to decide where and how to live, as a part of an ethnic enclave or as a part of the larger society—they ought to be given due respect and weightage.⁷⁸ Still others thought the best method of upholding the integrity and cultural unity of Kashmir was possible by restoring pre-1947 position with regard to the internal autonomy.⁷⁹ Sofi Mohd. Akbar desired adjustment of regional aspiration of the State to the majoritarian principle by declaring State of Maharaja's time into an organic whole, as it existed before 1947.⁸⁰

Kashmiris are very conscious of their honour and prestige like many others and this sentiment is reflected by some of the participants in their proposals. One desires the solution for the dispute to be such, as in its essence restores honour and prestige of the Kashmiris by declaring them free from India and Pakistan.⁸¹ Talking of accession with Pakistan through the method of plebiscite, Mr. Kirmani asks the question—"Does it mean that a proud nation like us shall merge with Pakistan without bothering about its national pride, honour and respect." Even explaining his proposal he declares, "The people of the State shall be prepared to die rather blot their national honour and prestige."⁸²

Most of the participants from the Muslim power base in the State used Kashmir as a Quom invariably—thus reflecting the age-old sentiment of Kashmir entity—though since 1931, peoples struggle became more pronounced. This is reflected in the literature of the National Conference and the institutional language used between the Central Government of India and State Government of Jammu and Kashmir. In this context we

might refer to many more proposals.⁸³ Still others in one language or the other tried to separate Kashmir from India as well as Pakistan. A resolution from Azad Kashmir said that the victimization of the patriots resulting from our political struggle and the communal frenzy fanned by vested political interests had since taken a very heavy toll of life—a few hundred thousand lives—not to speak of the exodus of the hundreds of terror-stricken people from one side of the ceasefire line to the other or from their homeland to India and Pakistan.⁸⁴

From Pakistan, another proposal talked in a similar sentiment and advocated in a similar vein that they wished to make it clear that the people of J & K are the principal party to the dispute of J & K State and it is rights and interests which are to be guarded and ascertained. It further demanded that the United Nations should obtain a guarantee from both India and Pakistan that the autonomy which the State had been enjoying upto 1947 would in no case be disturbed or altered in case of accession.⁸⁵

Many of the proposals envisaged the same democratic set up as was provided by the document of Naya Kashmir which had stipulated a constitutional monarchy similar to that of British system with Maharaja Hari Singh as the constitutional head. In this context we find many proposals which suggest the establishment of a National Assembly, a Supreme Council, a Cabinet and other democratic institutions in the State.

Rugh Nath Vaishnavi, an advocate, and politically committed to the political future of Kashmir, in his long statement pleaded for the recognition of peoples sovereignty vindicating the distinctive personality of Kashmir. According to him the accredited leaders of India, Pakistan and Kashmir should sit together and agree to restore to the State its age-old status of sovereign independence it enjoyed all along before it was invaded and occupied by the Pathans, Mughals, Sikhs and Dogras. In his statement he contended that he wrote a letter on 25-2-1964 to the President of India, Dr. S. Radhakrishnan and conveyed to him how the whole populace in Kashmir had gone into mourning at the loss of the holy relic and that he had impressed upon him that "of whatever religion, creed or community, the people of Kashmir are born of one and the same soil. We have

a tradition, a history, centuries old. We have together braced the rise and fall of power ; the ebb and flow of the tides of time; shifts of destiny ; stresses of temporal change."

Mr. Vaishnavi further added :

"We possess a unique sense of belonging to our land of birth. Held by mountain gorges, Kashmir has her own language and culture. We have a common heritage ; common customs and sentiments. We are imbued with mutual respect and regard for all faiths and forms of worship, temples, shrines and sacred places. We have a history of common suffering and struggle. A bond of kinship forged through the hazards of time, tradition and huge upheavals—this is the sustaining chord of our social, economic and political existence in Kashmir."

"Pakistan and India have to draw instruction and inspiration of abounding communal harmony, understanding, tolerance, brotherliness, peace and concord which have held and do hold together all sectors of social life in the State, paradise of Asia !"

"Let the world recognize that Kashmir is a type by herself... Kashmir...appeals to all who feel concerned about the welfare of our native land and the millions of Kashmiris to sit together and with a mind to strike out a solution, consistent with the genius of Kashmir, decide and take the first effective steps which will ultimately lead to a settlement for all time to come."

Mr. Vaishnavi further acknowledged,

"We have to inform the peoples of the sub-continent that the mind and body of Kashmir as a collective whole, is a cultural entity, a social type imbued with native patriotism and a deep and inalienable sense of belonging to the land of their birth, who have politically, culturally and socially held themselves distinct from the rest of the world. All the facets of this socio-political picture of Kashmir are to be

brought out vividly to provoke thought and synthetic consideration of our problem by the world at large."⁸⁶

Though Rugh Nath Vaishnavi is vigorous in his argument of "self-identification", yet there are others who claim instrument of plebiscite to be the best method of ensuring it. Amongst them some believe that the question could not be solved until the urges and aspirations of the people of the State are not kept in view. Still others resist the idea of division and demand that restrictions on the movement inside the Kashmir be lifted, so that Kashmiris could move freely within their homeland.

This tone of self-identification has been a constant landmark in the political history of Kashmir since 1964. After the arrest of Sheikh Mohd. Abdullah in 1953, the idea of restoration of pre-9th August 1953 position and autonomy was offered to him through Abul Kalam Azad and Rafi Ahmad Kidwai and many others who followed them in negotiations. However, when Sheikh Sahib and Mirza Afzal Beg went to Pakistan in 1964, they had offered, naturally after the approval of Pt. Jawaharlal Nehru, the proposal of confederation between India, Pakistan and Kashmir.⁸⁷ However, nothing could come out of it owing to the sudden death of Pt. Jawaharlal Nehru. Even after the Accord of 1975 and after the Sheikh's assumption of power, the confrontation between the Centre and the State proved that the Sheikh could not barter "self-identification" for anything in the world, not to speak of power. Sheikh's overtones reflected the age-old concept of Kashmir identification when even in early fifties he spoke in Jammu, "Let all concerned remember that there are three Prime Ministers in the sub-continent—Prime Minister Jawaharlal Nehru of India, Prime Minister Liaqat Ali Khan of Pakistan and myself; the Prime Minister of Jammu and Kashmir." Even before his death in 1982, the Sheikh spoke to a visiting Journalist from Delhi that Mrs Gandhi was planning to throw him out, but he was not a man to be trifled with, as, "I am not an Antulay or an Anjiah who sits or stands at her bidding. I am elected by my people and I am answerable to them."⁸⁸ But the statements were not mere assumptions but facts and while he

convened the State Peoples Convention and even made the late Jayaprakash Narayan, a great political luminary, to attend it, he evinced that only Kashmir could convene it under Sheikh's leadership and no other part of India could or would afford such a political luxury and identification.

The tallest of the Kashmiris is dead, but the conscience keeper of Kashmir identity, entity, individuality, ubiquity, actuality, inner reality—that is, the total personality, lives. It breathes from the Dargah and the Park in Hazratbal and through the Naseem breeze is carried to all the nook and corners not only of the valley but wherever a Kashmiri happens to live. It reminds him of the historic claim to restore to Kashmir her own personality in its fullest. To deny this right to ones self is neither just nor human.

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PART II

DOCUMENTS (English)

LIST OF DOCUMENTS

1. Document A
2. Resolution No. I
3. Resolution No. II & III
4. Document B
5. Conclusions of Steering Committee
6. Steering Committee Resolution
7. Opening address—Sheikh Mohd Abdullah
8. Inaugural Speech—Jaya Prakash Narayan
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17. Proposal : Syed Mubarak Shah Naqashbandi
18. Proposal : G.M. Bhawan
19. Proposal : Kh Abdul Salam Yatu
20. Proposal : Mir Abdul Manan
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22. Proposal : Mohd. Sharif Tariq
23. J & K In Perspective—Kamal K. Sharma
24. Proposal : Gwash Lal Koul
25. Proposal : Ved Basin
26. Proposal : Rugh Nath Yachu
27. Proposal : Shyamlal Yachu
28. Proposal : N.M. Lodhi
29. Proposal : Sped Sultan Ali Shah

30. Proposal : A Chauhan
31. Proposal : Kh. Ghulam Hassan Khan
32. Proposal : Abdul Rashid Dar
33. Proposal : Kh Hassan Mohd Wani
34. Proposal : Syed Manzoor Ahmad
35. Proposal : Gh Mohiudin Hamdani
36. Proposal : Gh Hassan Kant
37. Proposal : B.N. Pestonjee

DOCUMENT 'A'

RESOLUTION NO. 1

The first session of the Jammu & Kashmir State People's Convention

having heard the various papers and speeches delivered by the delegates presenting different view-points on the issue of the State's political future, and

re-affirming the principle that a solution of the problem, acceptable to the people of the State, keeping in view the interests of all regions, can alone resolve the dispute and restore normalcy and tranquillity in the sub-continent, including Jammu and Kashmir,

instructs the Steering Committee of the State People's Convention to properly tabulate the presented material for submission to and discussion in the second session of the Convention as early as possible in order to pave the way for finding a peaceful, democratic, just and realistic solution of the issue.

October 17, 1968

J & K STATE PEOPLE'S CONVENTION,
MUJAHID MANZIL SRINAGAR

RESOLUTION NO. I

The J & K State People's Convention records its strong disapprobation of Govt. of India's refusal to issue visas to the Nationals of the State living across the cease-fire line, in order to come over to this part of the State and participate in the deliberations of the 2nd Plenary Session of the Convention. In the opinion of the Convention, Govt. had no justification, legal, moral or constitutional for such refusal. It is conceded on the one hand that Azad Kashmir is a part of the J & K State now as much as it was in 1947, when partition took place. According to the Constitution of J & K State (S. 4), the State's territory is defined as comprising of "all the territories which on the 15th day of August, 1947, were under the sovereignty or the suzerainty of the ruler of the State". Accordingly, the said Constitution has kept 25 seats of the J & K Assembly vacant for the representatives of that part of the State (S. 48).

The Convention was anxious that all shades of opinion of the State's people should be represented in the session, so as to help evolve a formula for the solution of the future of the State, reflecting the wishes of all. It was not proper and just for Govt. of India to arbitrarily reject this request and deny the basic right of a free dialogue among different sections of the State people on an issue so vital to them. The Convention deeply regrets that though India claims to be the biggest democracy in the world, in practice it is consistently refusing the State's people the exercise of these rights. The Convention notes with appreciation that though no written reply was received by the Chairman of the Convention from the Pakistan Government, that they had, as reported by Pakistan Radio, no objection to allow the Kashmiri invitees living in Azad Kashmir or elsewhere in Pakistan to participate in the Convention.

J & K STATE PEOPLE'S CONVENTION
MUJAHID MANZIL SRINAGAR

RESOLUTION NO. II

The 2nd Plenary Session of the J & K State People's Convention expresses deep concern over the arrest and continued detention by the Kashmir Government of Kh. Abdul Rashid Shah, Mr. Sanaullah Sofi, Mr. Ashraf Javed, and S. Bachan Singh Panchhi, delegates to this Convention, thereby depriving the Convention of the benefit of their contribution to the deliberation of the Second Session of the Convention.

J & K STATE PEOPLE'S CONVENTION
MUJAHID MANZIL SRINAGAR

RESOLUTION NO. III

This Session of the J & K State People's Convention places on record its deep sorrow and anguish on the sad demise during last year of its three delegates Al-haj Munshi Mohd. Ishaque, Kh. Habibullah Mir and Kh. Abdul Ghani Butt and shares the grief with the members of the bereaved families and extends to them its heartfelt condolences.

DOCUMENT 'B'

EVALUATION REPORT BY THE SUB-COMMITTEE

Preamble

In its meeting held on 7 December 1968, in Srinagar, the Steering Committee decided to appoint a sub-committee consisting of us three (M.A. Beg, Balraj, and Premnath Bazaz) for the purpose of scrutinising the tabulation work done by members of the Steering Committee with regard to the papers submitted to and the speeches made in the first session of the Jammu and Kashmir State People's Convention. We were further instructed to prepare a summary of all the proposals and suggestions which had been made by the delegates to the Convention and submit the same by the end of January 1969.

As the material did not reach us in time and certain unavoidable circumstances intervened, this report could not be submitted earlier.

We closely studied in our three meetings the reports on the papers and speeches as also the comments of the Steering Committee on them. We drafted the report and finalised it on 17th February.

In framing our report we have, as far as possible, avoided repetitions and tried that every original proposal or suggestion is included in the summary. We, therefore, hope that every participant will find his views substantially stated though at times these may have been split into parts under different heads.

Despite our best efforts to classify the proposals, certain suggestions put under one head could have found place under another head also. This is so because some of the suggestions can fit in at two or more places but to avoid repetitions we had to include them under one head only.

Proposals and Suggestions

We have found that the proposals and suggestions made by the delegates regarding the political future of the State broadly fall under the following heads :

- (a) Settlement through a Plebiscite
- (b) Accession to India
- (c) Accession to Pakistan
- (d) Independence for the State
- (e) Interim arrangements with final solution after a specific period
- (f) Some other methods of solving the problem.

We shall now state the various proposals and suggestions under these heads serially.

(a) Settlement through a Plebiscite

It has been stressed that the political future of the Jammu & Kashmir State should be finally decided by the democratic method of a free and fair plebiscite. To this solution following conditions have been set by way of explanation or amplification :

1. Pressure should be brought to bear on the U.N. to get its resolutions implemented by India and Pakistan.
2. The Plebiscite should be held in accordance with the resolutions adopted by the Security Council on the issue.
3. The plebiscite should be held not only for the alternative of accessions to India or Pakistan but also with the third choice to keep the State independent.
4. While generally overall plebiscite for the entire State is demanded, zonal plebiscite is also suggested, the zones being as follows :

- | | |
|------------------|-------------------------|
| (i) Azad Kashmir | (ii) The Kashmir Valley |
| (iii) Doda | (iv) Rajouri |
| (v) Poonch | (vi) Askardu |
| (vii) Kargil | (viii) Gilgit |
| (ix) Astor | (x) Bhojji |

and

- | | |
|---------------------------------|-------------|
| (i) Udhampur | (ii) Jammu |
| (iii) Reasi (excluding Rajouri) | (iv) Kathua |
| | (v) Ladakh |

5. The pre-requisites of a plebiscite suggested are :

- (i) Withdrawal of Indian and Pakistani troops from all parts of the State.
- (ii) Replacement of outside troops by State troops.
- (iii) Defence against foreign aggression to be the joint responsibility of India and Pakistan under the U.N. auspices.
- (iv) Resettlement of displaced persons on either side of the cease-fire line.
- (v) Restoration of traffic and trade on Srinagar-Rawalpindi Road.
- (vi) Free elections to J&K Assembly and formation of a representative Government to conduct the internal administration.
- (vii) Holding of a round-table conference of all political parties for settling details of the plebiscite.
- (viii) Meetings of the leaders of India, Pakistan and Kashmir to be held by rotation in the three places to create a friendly atmosphere before the plebiscite is held.
- (ix) The two parts of the State to be re-united before the free elections or the plebiscite is held.
- (x) U.N. should hold charge of the State for 5 or 10 years prior to the plebiscite.
- (xi) A federal type of Government comprising three units—Kashmir, Jammu and Frontier ilaqas—be set up in the State.
- (xii) While exercising the right of vote in a plebiscite, the State people should take note of the emotions of millions living in the sub-continent.

6. For the supervision of the Plebiscite the following suggestions are made :

- (i) It should be held under the U.N. auspices.
- (ii) It should be supervised by the two administrators

each from Ceylon, Burma, Afghanistan, Indonesia, Egypt, Abyssinia and Kenya.

- (iii) It should be held under the directions of a supreme council with the composition of following members :

(a) U.N.O.	1	(b) India	1
(c) Pakistan	1	(d) Kashmir Valley	3
(e) Azad Kashmir	2	(f) Jammu Hills	1
(g) Jammu Plains	1	(h) Northern territories	1
(i) Ladakh	1		

7. After accession through the plebiscite and before transferring the sovereignty of the State to India or Pakistan, as the case may be, the U.N. should secure the guarantee from the concerned power that the autonomy of the State shall be fully preserved.

(b) *Accession to India*

It is proposed that the present relationship of the State with India should continue for ever with the following provisions :

1. Cease-fire line be made the permanent boundary of the J & K State.
2. Special position guaranteed to the State under Article 370 of the Indian Constitution should continue.
3. Autonomy of the State restored to 1947 position, changes in Article 370 after 1953 be cancelled; jurisdiction of Election Commission and Supreme Court and grant of fundamental rights (in so far as they do not affect the progressive measures like land reform and debt legislation) should not be affected by it.
4. Largest measure of autonomy should be guaranteed.
5. A truly representative government should decide the measure of autonomy.
6. The content of autonomy should be acceptable to the State Muslims.
7. A solution within the framework of Indian Constitution wherein the people of the State, who are mostly Muslims, would be able to maintain their own cultural, linguistic and religious entity.

8. Both India and Pakistan should bind themselves by a covenant regarding the inviolability of the autonomy in their respective areas.
9. Firm assurance to be sought from the Indian leadership that it shall allow Kashmir to pursue its social, economic and political goals according to the genius of her people. Possibilities of the fulfilment of the ideals enshrined in New Kashmir to be explored. If guarantees to this effect from India are not forthcoming, a determined battle to be launched.
10. Full assertion of Kashmir's personality within the Indian Federal system and democratisation of the State's set up be tried through participation in elections at all levels.
11. The State should enjoy power and authority to enter into reciprocal trade arrangements with authorities in Pakistan within the broad framework of the trade policies of the Indian Union.
12. The pledges given by the leaders of Kashmir and India during the early years of mutual relationship should be re-affirmed

(c) *Accession to Pakistan*

Proposals have been made favouring the State's accession to Pakistan but, at the same time, such accession is subjected to a plebiscite with options to accede to India, Pakistan or to remain independent.

(d) *Independence for the State*

It has been proposed that the State of Jammu & Kashmir should become independent. The following suggestions have been made in connection with this proposal :

1. A federal independent republican State should be formed with six semi-autonomous units, namely,

(i) The Valley	(ii) Azad Kashmir
(iii) Jammu Plains	(iv) Jammu Hills
(v) Northern Territories	(vi) Ladakh

Excepting the Valley each unit to have right of secession from the State and accession to either India or Pakistan. The Valley would have to vote on accession only if after 10 or 20 years of U.N. supervision it rejects independence in a plebiscite.

2. Independent Kashmir should comprise all parts as it existed in 1947 before partition.
3. The State comprising three units namely Jammu, Kashmir Valley and Ladakh should become independent.
4. A federal independent State should be set up with three units namely, Jammu, Kashmir Valley and Ladakh.

(e) *Interim arrangements with final solution after a specified period*

Proposals have been made to postpone the final settlement of the problem to some future date and in the meantime have some arrangements to run the State administration. The suggestions made in this connection are as follows :

1. U.N. supervision had been suggested for varying period 5, 10 or 20 years—as an interim measure.
2. For defence during interim period, State troops or militia should be employed; or in the alternative it should be the joint responsibility of India and Pakistan. One delegate has suggested to have an army of 2,000 each from Ceylon, Burma, Afghanistan, Indonesia, Egypt, Abyssinia and Kenya for the purpose.
3. For internal administration convening of a National (Constituent) assembly elected freely and fairly which will form a representative government.
4. Such subjects as defence, elections, judiciary, public services, economic development, audit and currency, to be the joint responsibility of India and Pakistan. The State not to enter into any agreement with one country which would adversely affect the other country. Further, agitation in the sub-continent against the Constitution of the State or against the Constitutions of the two countries should be considered as treason.

5. Full autonomy within existing constitutional framework be granted till a congenial atmosphere is created for a final settlement of the accession dispute.
6. All India laws extended to the State since 1953 should be withdrawn.
7. Status quo be maintained for 5 years and Sheikh Abdullah be provided facilities to tour India and Pakistan during the period at the end of which a plebiscite be held to decide the issue finally.
8. Regional autonomy for Jammu, Kashmir and Ladakh be granted to create an organic, composite and harmonious personality of the State before attempting to decide the question of overall state.

(f) *Some other methods of solving the problem*

Some of the proposals made for the final solution do not fall under any of the above heads and may, therefore, be grouped together as follows :

1. A round-table conference of representatives from India, Pakistan and Kashmir may be convened to thrash out de novo the issue and evolve a solution.
2. Status quo should be maintained for five years and Sheikh Abdullah, accompanied by two representatives each from Jammu, Kashmir and Ladakh, should be allowed to tour the two countries, meet the leaders there and evolve a solution of the problem.
3. Elections to the State Legislature should be held under neutral auspices to pave the way for resolving the dispute.
4. The leaders returned to the State Legislature through a fair and free election should sit at a round-table and start a purposeful talk with India and Pakistan for settling the dispute.
5. A struggle should be launched to get the right of self-determination for the State people conceded by India and Pakistan. Thereafter, a convention of leaders from both sides of the cease-fire line be held to evolve a solution.

6. The present Legislative Assembly should be dissolved and the President's rule imposed on the State. Thereafter, a democratic government established in the State which should create an atmosphere conducive to the final solution of the dispute.
7. A series of conferences, conventions and meetings should be held with delegates from India and Pakistan with the purpose of creating a congenial atmosphere for a settlement. Meanwhile, fullest autonomy should be granted to the State by India.
8. A Constituent Assembly be convened to establish a representative government for Jammu & Kashmir State. The government will enter into treaty relations first with India and afterwards with Pakistan.
9. India and Pakistan should be persuaded to resolve their differences over the future affiliations of Kashmir to the satisfaction of the State people.
10. The leaders of India and Kashmir should arrive at a settlement on the basis of the pledges given to each other in 1947. This should be followed by negotiations between India (including Kashmir) with Pakistan for a final settlement of the dispute.
11. Independence of the whole State with joint control (of India and Pakistan) of foreign affairs and defence.
12. Dixon plan with independence for the plebiscite area.

Submitted

Sd/- 1. M. A. Beg
2. Balraj Puri
3. Prem Nath Bazaz

PS : Nos. 11 & 12 added with the permission of other members.

Sd/- M. A. Beg

CONCLUSIONS OF STEERING COMMITTEE

JAMMU AND KASHMIR STATE PEOPLE'S CONVENTION

The Steering Committee of J & K State People's Convention met on 21st and 22nd October ; in Mujahid Manzil under the Chairmanship of Sher-i-Kashmir, Sheikh Muhammed Abdullah, to consider the report of Sub-Committee entrusted with the task of framing broad outlines of the Internal Constitutional structure of J & K State. After thorough discussions, the Steering Committee arrived at unanimous conclusions, which are embodied hereunder :

1. There should be a Head of the State where nomenclature and functions may be set out in the Constitution.
2. Provision should be made for independent judiciary as a limb of the State.
3. Subject to the future status of the State to be evolved, all powers and authority should vest in the State, except those delegated to lower tiers in accordance with the provisions contained in the Constitution.
4. Maximum powers and functions that may gradually be assigned to the various tiers functioning under the State may only be listed up, but at the present moment only such of the said powers and functions should actually be exercisable by the respective authorities as would be manageable by the constituent concerned. After gaining proper experience this area of powers and functions may be expanded from time to time.
5. The law making power of the unit legislature shall be limited to framing legislation on subjects delegated to them in accordance with the principle laid down in the Constitution. They shall also perform executive and supervisory function in their respective jurisdictions.
6. The unit legislatures shall be called Councils.

I. At the State Level

1. The State shall comprise of all those territories included in it before August 1947.
2. The State shall be represented by its chosen representatives, elected on the basis of adult franchise.
3. Provision should be made for special representation of the backward communities and classes.
4. There shall be an Upper House at the State level comprising of equal number of members from the three units. The House will exercise non-legislative powers and will be of a wholly advisory character to deliberate over and make recommendations for the preservation of security, integrity and inter-regional harmony of the Jammu & Kashmir State.
5. The State Government will function as a Cabinet on the basis of collective responsibility.

II. At the Unit Level

The State of Jammu & Kashmir is to consist of three Administrative Units viz., (a) Kashmir, (b) Jammu, (c) Frontier Illaqa which shall comprise the following zones :

1. Kashmir Unit

- (a) Kashmir Unit shall comprise of the Province of Kashmir.
- (b) The Zones of Kashmir Unit shall comprise broadly of the present districts of the province subject to minor adjustments keeping in view common language and cultural affinity of the people.

2. Jammu Unit

- (a) The Unit of Jammu shall comprise of the Province of Jammu.
- (b) The Zones of Jammu Unit shall broadly comprise of the present districts of the Province subject to minor adjustments of areas on the basis of common language and cultural affinity of the people.

3. Frontier Unit

1. The Unit of the Frontier Illaqa shall comprise of the following zones :

(a) Gilgit, (b) Skardo and (c) Ladakh

The boundaries of the zones shall be subject to adjustments keeping in view the common language and cultural affinity of the people.

4. Each Unit shall have a Council, comprising of such number of elected members as may be determined in relation to a unit of population.

5. Provision for special representation for backward communities and classes may be made.

6. In the Frontier Illaqa on account of its much smaller population and wider area than the other units, the unit of population for determining a constituency shall be smaller.

7. The Executive Council in each Unit shall be responsible to the Unit Council on the basis of collective responsibility.

8. Maximum number of Executive Councillors may be fixed in the Constitution.

9. Legislative powers at the Unit level shall be limited to the subjects transferred to the Unit.

III. At the Zone Level

1. Each Unit comprises of Zones roughly co-extensive with the present administrative district in the State. Any zone after a stipulated period can exercise option to join any adjoining unit.

2. A District Committee shall be set-up for each zone, consisting of not less than 11 and not more than 21 members, to be appointed as follows :

- (i) 2/3rd to be elected by the local Self-Governing bodies or Blocks.
- (ii) 1/3rd to be elected by direct vote.
- (iii) Suitable representation to be provided for women and backward classes.

Functions

1. A District Committee shall be a coordinating body exercising general supervisory powers over the working of Block Committees.

2. It may be given executive functions for the establishment and maintenance of schools at high school level.

(i) Advice and supervision of execution of developmental works, approval of the Budget of the Block Committees, Distribution and allotments of funds amongst the Blocks.

(ii) Consolidation of Block Plans.

(iii) General supervision of the activities of the Block Committees.

(iv) Matters relating to the development of agriculture, animal husbandry, preservation of forests, social welfare, secondary education, public health, protection of State property, minor irrigation works, local industries, matters relating to cooperatives, community development, etc.

7. The source of finance of the District Committees will be mainly (a) grants from the Government; (b) loans from the Government and (c) small cesses.

IV. At the Block Level

1. Each District shall be divided into Blocks, coextensive with the present administrative tehsils.

2. For each Block there shall be a Block Committee consisting of not less than 7 and not more than 11 members to be appointed as follows :

- (i) 1/3rd to be elected by the direct vote on the basis of adult franchise ;
- (ii) 1/3rd to be elected by the Panchayats in the area.
- (iii) 1/3rd to be nominated for special representation for women and backward classes.
- (iv) Government may associate from time to time technical experts in order to advise the Block Committee in matters requiring such knowledge. Such persons can participate in the meetings of the Committee but shall have no vote.

Functions

The Block Committees may be entrusted with :

- 1. Developmental functions of their own or on behalf of higher bodies.

2. Preparation of development plans for the Block.
3. Management of primary education, health, sanitation, small means of communication and local irrigation.
4. Supervision over the Panchayats.
5. Scrutiny of the Panchayat budgets.

Finance

The sources of finance of the block committee shall be the following :

- (a) A share earmarked from the District Committee budget;
- (b) a share from the land revenue allotted by the Government;
- (c) grant and loans from the Unit Government; and
- (d) levy of small cesses such as water rates, etc.

V. At the Panchayat Level

1. For such number of villages as may be prescribed, a Panchayat Committee shall be set-up which shall comprises of not less than 7 and not more than 11 members to be elected by the adult population in the Panchayat area.

2. As far as possible election to the Panchayat shall be by secret ballot.

3. Functions

The following functions may be assigned to a Panchayat :

- (i) Municipal administration, cultural matters, social and developmental activities;
- (ii) matters relating to sanitation and crop experiments;
- (iii) promotion of cottage industries;
- (iv) registration of births, deaths and marriages;
- (v) agency functions on behalf of higher tiers or organs of the State; and
- (vi) collection of land revenue.

4. Finance

The sources of finance of the Panchayat shall be as follows :

- (i) allotment of funds from District or Block revenues ;
- (ii) cesses;
- (iii) small taxes on vehicles and professions;
- (iv) a levy on marriages;
- (v) loans or financial aid from higher tiers of the State; and
- (vi) a levy on bazars and fairs.

J & K STATE PEOPLE'S CONVENTION

January 1970

Dear friend,

As directed by the Steering Committee of the J&K State People's Convention, I enclose a copy of the Resolution adopted by the Committee in its meeting at Jammu on 20th and 21st December 1969.

The second Plenary Session of the Convention will be held in Srinagar in the last week of May 1970. I shall apprise you of the exact dates as soon as they are fixed by the Chairman.

Meanwhile, I have been instructed to invite your particular attention to the request of the Steering Committee in the enclosed Resolution.

The Committee earnestly expects that, as indicated in the Resolution, you will be able to formulate, in the light of the two documents 'B' and 'C' as well as the enclosed Resolution, your proposal for solution of the State's political future in clear, brief and precise terms, for submission to the second Plenary Session of the Convention.

It would be helpful if your proposal reaches our office by the first week of April 1970 to enable us to put it on the agenda of the convention.

I need not stress the importance of the subject and I hope to hear from you soon.

with regards,

Your sincerely
(GHULAM MOHIUDDIN SHAH)
Secretary, Steering Committee

Encls.

STEERING COMMITTEE RESOLUTION

Passed at Jammu on December 21, 1969

Whereas, after having heard the various papers and speeches delivered by the Delegates, on the issue of the State's political future, the J&K State People's Convention, instructed the Steering Committee, by its resolution dated 17-10-68, to tabulate the presented material for submission to, and discussion in, the 2nd session of the Convention...(Document 'A'),

Whereas, thereupon, the Steering Committee in their meeting of 17-12-68 appointed a Sub-committee for purposes of tabulating the said material, complete in every respect,

And accordingly the Sub-Committee submitted its report to the Steering Committee of the J&K State People's Convention...(Document 'B').

The Steering Committee, after consideration of the various proposals regarding the internal constitutional set-up of the State, laid down the broad guidelines defining the regions of the State of Jammu & Kashmir, and broad character of the internal constitutional set-up of the State in their meetings held on 13th and 14th May, 1969, and

Appointed a Sub-Committee to set out the broad outlines of the draft constitution, including the measure of devolution of powers and functions in favour of various tiers,

And whereas, pursuant thereto, the Sub-Committee submitted a draft dated 23-10-69, broadly defining the regions, units and other tiers and indicating generally the nature and character of powers, responsibilities and duties assignable to the various tiers,

And the Steering Committee after deep consideration of the Sub-Committee said draft on internal constitutional set-up of the State, approved the same with some alteration...(Document 'C'),

And now, therefore, in pursuance of the further implementation of the 17th October, 1968 Convention Resolution, the

Steering Committee commends the Documents 'B' & 'C' to the 2nd Plenary Session of the J&K State People's Convention for its approval.

The Steering Committee, further requests the Delegates of the Convention to guide, through expression of free views and concrete proposals, the Committee in the task of evolving a formula for a peaceful, democratic, just and realistic solution of the State's political future, keeping in view the interests of all its regions, as also the fact that such a solution should strengthen the secular democratic forces and should foster communal harmony, not only within the State of Jammu and Kashmir, but also in the whole sub-continent and should be in conformity with the past traditions and abiding values of our freedom movement.

OPENING ADDRESS

SHEIKH MOHAMMAD ABDULLAH

It is a matter of great privilege and pleasure for me to welcome you all here today on this historic occasion when we are meeting at a crucial period of our long and chequered history, marked by many vicissitudes, and ups and downs but also by a fair modicum of successes, which God in His great wisdom and bounty had bestowed upon some of our labours. I see before me today a distinguished gathering belonging to the various segments of our society and representing diverse thoughts and opinions in our body politic. That indeed is a measure of the value which this meet carries and earnest of our efforts to explore the situation to the best of our ability.

This is no occasion to dig the past for its own sake, to indulge in recriminations or rancour, as we bear ill-will to none. If we in this convention seek to do any post-mortem of the past events we are solely motivated by our desire to find a way out of our present impasse. In doing so I hope and pray that we shall not be guided by any narrow or parochial considerations but by the larger interests of our people; and we may therefore bring to bear on our task that catholicity and urbanity of outlook, a dispassionate consideration of our problems and an objectivity which is both informed and constructive and is free from any taint of malice, ill-will or disaffection in our attempt to get down to the heart of our problem, where there is no place to apportion praise or blame for our present malaise.

The task that I have indicated above is, therefore, one of stocktaking, of heart searching, of turning to God for His gracious guidance, so that no words that may fall from our lips may wittingly or unwittingly wound any susceptibilities or arouse any passions; but in a calm, cool and calculated manner we may proceed to our task not deflected from our course by

the provocations that have been hurled at us or still may be hurled at us, even questioning our very bonafides and our credentials.

We, who have laboured so long in this great adventure for our People's freedom and emancipation from tyranny have not a clean slate to write upon. To quote the words of the great departed leader, Mr. Nehru, who had stated as far back as June 26th, 1952 :

"We have not got a clean slate to write upon; we are limited, inhibited by our commitments to the United Nations, by this, by that. But nevertheless, the basic fact remains that we have declared—and even if we had not declared the fact would remain—that it is the people of Kashmir who must decide. And I say with all respect to our Constitution that it just does not matter what your Constitution says, if the people of Kashmir do not want it, it will not go there... Let us suppose there was a proper plebiscite there—and the people of Kashmir said, "We do not want to be with India." Well, we are committed to it, we would accept it. It might pain us but we would not send an army against them; we might accept it, however much hurt we might feel about it, and we should change our Constitution about it."

In another speech in the same vein on August 7, 1952, he had stated :

"It is an international problem. It would be an international problem anyhow if it concerned any other nation besides Indian, and it does. It became further an international problem because a large number of other countries also took an interest and gave advice... So while the accession was complete in law and in fact, the other fact which has nothing to do with the law also remains, namely, our pledge to the people of Kashmir—if you like, to the people of the world—that this matter can be reaffirmed or cancelled or cut out by the people of Kashmir if they so wish. We do not want to win people against their will and with the help of

armed force, and if the people of Jammu and Kashmir State so wish it, to part company from us, they can go their way and we shall go our way. We want no forced marriages, no forced unions like this... .

So, we accept this basic proposition that this question is going to be decided finally by the goodwill and pleasure of the people of Kashmir, not, I say, by the goodwill and pleasure of even this Parliament if it so chooses, not because this parliament may not have the strength to decide it—I do not deny that—but because this parliament has not only laid down in this particular matter that a certain policy will be pursued in regard to Jammu and Kashmir State but it has been our policy... .

But whether it is a pain and a torment, if the people of Kashmir want to go out, let them go because we will not keep them against their will however painful it may be to us. That is the policy that India will pursue and because India will pursue that policy, people will not leave her. People will cling to her and come to her. Because the strongest bonds that bind will not be the bonds of your armies or even of your constitution to which so much reference has been made, but bonds which are stronger than the constitution and laws and armies—bonds that bind through love and affection and understanding of various peoples. Therefore, we must be clear in our minds, that this question in regard to the future of Jammu and Kashmir State can ultimately only be decided by the people of Jammu and Kashmir State. Having come to that conclusion then, let us fashion our other policies accordingly, then let us not find fault with something here and there because it does not fit in with our wishes."

Gandhiji made the following observations on August 5th, 1947 which are as relevant today as when they were made.

"He had no hesitation in saying that the will of the Kashmiris was supreme law in Kashmir and Jammu... . The common sense dictated that the will of Kashmiris should

decide the fate of Kashmir and Jammu. The sooner it was done, the better."

India will be free on 15th August, what of Kashmir? A deputation of workers asked him that question at Jammu. "That will depend on the people of Kashmir". Gandhiji replied: They all wanted to know whether Kashmir would join the Union or Pakistan. "That again" answered Gandhiji: "should be decided by the will of the Kashmiris."

On the conclusion of his visit to Kashmir he wrote to Pt. Nehru:

"that both (Maharaja and Maharani) admitted that with the lapse of British Paramountcy, the true Paramountcy of the people of Kashmir will commence. However much they might wish to join with the Union, they would have to make the choice in accordance with the wishes of the people."

May I say in all humility that Gandhi and Nehru, the twin stars that have shone on the firmament of India and who had dominated the scene for over half a century are synonymous with India and that not only their honour is bound up with their word but the honour of India is likewise bound up with their word, and any attempt made to riggle out of any solemn pledges given by them would tend to sully the image of India and tarnish it as nothing else would do.

Gentlemen, I am circulating a copy of an Article that I contributed to the "Foreign Affairs Journal" of America at their request which deals briefly with the genesis of the Kashmir question. It is, therefore, not necessary for me to refer in this address to any of these matters in detail. Suffice it to say that it embodies some suggestions which had been canvassed to settle this much vexed question of the State, which I commend to your consideration. While I have no desire to prejudice your consideration thereof, I wish to say that the Dixon Plan referred to therein suffers from the obvious defect that it denies to the areas other than the "Valley and adjoining areas" what it concedes in the case of the Valley and its adjoining areas.

It is, however, noteworthy to add that there is the International aspect of the problem, the guarantees given to the International Community and more particularly to the people of Jammu and Kashmir, guarantees and pledges which were rooted in their hoary past and were sanctified by the blood and sweat and the tears that went with them. These tears continue to be shed; and though about a quarter of a century has passed, when freedom dawned on the Sub-continent the people of Jammu and Kashmir continue to toil and labour under unmitigated suffering patiently borne for the vindication of their just rights and fair play and justice as God's great dispensation to them. While we pay lip service to these great principles and ideals, we do precious little to further the realisation of these objectives, but relentlessly pursue courses leading to the opposite direction and to the denial to them of the fruits of their portion of freedom. I do not think I have over drawn the picture. The State of Jammu and Kashmir continues to be divided and to remain mutilated and truncated and large sections of its people have been separated over the years, driven from their homes, with no immediate prospect of being re-united or settled in their own hearths and homes or those of their near and dear ones. The movement across the two separated parts of the State is so meagre as to be non-existent. When some of us talk glibly of the economic regeneration of the State and consider that it is the only question to be tackled, they tend to lose the sight of the trees for the wood. I had been away from the scene for 13 years, enjoying only an occasional spell of freedom, and during these long years those who have been at the helm of affairs or continue to be at the helm, had an unique opportunity to translate their past pledges into a reality. I blame no one for the present state of affairs; but with all the power of the State, the vast funds that had come into their possession, have they been able to ameliorate materially the condition of the masses? Have they succeeded in rehabilitating their uprooted brothers, in ushering in an era of comparative prosperity and happiness? Is it not a fact that the people of the State, particularly the people in the Valley, when it is snow bound, are denied the very elementary necessities of life? Had not unemployment both among the educated classes of the

people and otherwise, increased? Is not discontent mounting up everyday and the burdens of life instead of showing any signs of demunition tend to multiply? We have to find an answer to the questions that I have posed; and that needs a certain amount of clear thinking and a great deal of honesty of purpose. Is not all this symptomatic of a deeper malady which afflicts the body politic, the uncertainty, the suspense that has crept into and is eating the very vitals of the community, the uncertainty resulting from an uncertain future—a future which holds no promise of stable peace and security, particularly in the sub-continent as recent events had woefully shown. If I have cried myself hoarse in the days after I regained my freedom since my last incarceration, I have been moved largely by the consideration that we may do our little bit to see that the events of the recent past are not repeated and that we are spared the horrors of another holocaust with all its hazards and perils to the safety of the teeming millions in the sub-continent, a possibility heightened by the addition of stock-piling that is proceeding apace and the arms race that is going on around us. With the confrontation of rival armies on our borders, and their presence amidst us, can we, the people of the State, afford to be complacent and shut our eyes to the lurking dangers inherent in such a situation, which may well spell our doom and of the generations yet unborn and seal our fate irrevocably. If we counsel the resolution of the disputes amongst the neighbours as the best way of preserving our own existence, is the labour and time spent on such confabulations wasted in any manner? I repeat, we the people of the State have had an agonising time. There have been eruptions of violence. Our men, women and children and particularly our boys and girls have had to face great suffering and tribulations. We must seek to end this unhappy state of affairs, and if we meet here today to consider this basic problem as to how best to alleviate the suffering of our people, what way there is out of the present imbraglio which would free them from their present shackles of poverty, ignorance and disease, and also from the crippling and corroding influences which are at work, so that they are able to face their future with confidence, I think the attempt is well worth being made; for it is their welfare, their

happiness which should in the ultimate analysis count; and the world community and particularly the two great countries, India and Pakistan, should see our plight and lend a helping hand, so that we may fashion our destiny according to our wishes and the genius of our people in a free atmosphere not vitiated by force or coercion but assisted by the mutual goodwill of the two great neighbours and others in whose interest also it is that all irritants between them should be eliminated quickly to enable them not only to better the lot of their people, but to be able to pull their full weight in the comity of nations to which they are fully entitled by the compulsions of history and geography.

Gentlemen, I have permitted myself a few reminiscences in the hope and belief that God in His Infinite mercy may guide our labours here so that it may never be said that we failed ourselves and our people at this supreme hour of our destiny. May the people of the State of Jammu and Kashmir, the people of the Sub-continent, and the people of the world at large, be able to live a life free from fear and exploitation, and may all nations, big or small, be able to fashion their lives according to their own needs without let or hindrance by others! May we here in this Convention be influenced not by pettyfogging, but by a sense of high purpose and the vision of larger human causes which transcend and cut across all barriers of cast, creed, colour, race, language and the like and underline the universality of human brotherhood and the oneness of the family of man on God's earth.

Before I conclude, I must express my profound gratitude to Shri Jayaprakash Narayan for his having inaugurated this Convention. This I know he did at a great personal inconvenience to himself and in spite of a great deal of pressure on his time and also some uncharitable view taken of his action in certain quarters. His presence amidst us will, I venture to think, fortify and sustain us in our work. I must also thank you all, the participants in the Convention and observers, for having taken the trouble of attending this Convention, particularly those of you who have come from long distances. My thanks are also due to the gentlemen of the Press for the unstinted co-operation extended to us by them in our present task.

I cannot close this address without expressing my deep sense of grief that the powers that be did not see the wisdom of providing the requisite facilities to the nationals of the State from across the Ceasefire Line and others to attend this Convention. I have no doubt that their presence here would have been of invaluable assistance in furthering the causes that I had set out earlier. Thank You.

INAUGURAL SPEECH

JAYAPRAKASH NARAYAN

Friends :

I am thankful to Sheikh Mohammad Abdullah for asking me to inaugurate this important Convention. As you perhaps know, I have come after some hesitation, indeed, after an initially negative decision. Two main considerations finally persuaded me to come. One, my affection and regard for Sheikh Saheb; and, two, the hope that my plain words, spoken from the heart, might on the one hand, help you to reach a practical decision, and on the other, influence Indian public opinion also to take a realistic and constructive view of the situation.

Only once before have I had the pleasure of visiting your State. That was in January 1947, when Mr. Ram Chandra Kak was Prime Minister and Sheikh Saheb was in prison with some of his colleagues. Bakshi Ghulam Mohammed was then working underground in Delhi, so as to keep in touch with the national leaders and help the Kashmir movement from there. It was he who had planned that first visit of ours—then too my wife was with me, and he had accompanied us as far as Rawalpindi, from where we travelled in the company of the late Munshi Ahmed Din and some workers of the National Conference.

That was a very brief visit, as unfortunately the present one is going to be. On that occasion all that I was able to do was to have discussions with some of the workers who were conducting the movement in the absence of their leaders, and to make a public speech in my very inadequate Urdu, it was, I believe, at Mujahid Manzil.

I visit the State again after an interval of 21 years and 9 months—a long period full of fateful events. But during this period, even without visiting the State, I have tried to keep in

touch with the changing situation here. I have also tried during all this time to look at the Kashmir problem—as indeed at all other problems—from the point of view of certain basic political principles and values that I hold dear. At this Convention too I shall try to do the same. Perhaps I should add that in the past 21 years, though my mode of political action has undergone change and development, those principles and values have remained for me unaltered. In fact, it was in order to pursue those basic convictions more effectively that I altered my mode of political functioning.

II

Importance of the Convention

Let me now turn to the present occasion. First of all, it seems to me that this Convention is of the most critical significance. It is, I believe, for the first time in the history of Jammu & Kashmir that such a move has been made. Its success might well mean the dawn of a new and brighter day, not only for the people of this State but also of the whole country. Its failure, on the other hand, might dash, if not for all time, at least for the foreseeable future, all hopes of easing the political and psychological tensions, the uncertainties and fears that have plagued this State for the past many years, particularly since 1953. I hope, therefore, that the participants in this Convention will be mindful of the very serious responsibility they have accepted. Their task calls for a constructive approach, and a determination not to permit their deliberations to end in indecision or failure. I hope you will face this crucial task with humility of spirit, a preparedness to understand one another, and a realistic appreciation of the limitations that circumstances have imposed upon all those seeking a satisfactory answer to this vexed question.

In view of the exceptional importance of this Convention, it is a matter of deep disappointment that the State Congress and Jan Sangh have refused to take part in it. No doubt they have reasons for their refusal—and I do not wish to minimise them—but it is never constructive and certainly not in keeping

with the spirit of democracy to refuse to talk to those with whom one is in disagreement—even complete disagreement. I have faith in human reason; and I believe that given the democratic spirit of give and take, there is no tangle that human reason cannot straighten out. The problems of the State are in such a state of confusion and complexity, and most of the leaders in the rest of the country are so casual in dealing with them and so self-satisfied with mounting shibboleths, that a Convention of leaders representing different points of view in the State to hammer out a general consensus amongst themselves on the future of the State is manifestly a step in the right direction. The views that have been expressed in public statements by the State Congress and Jan Sangh leaders—and they are no doubt important views—could have been expressed in this Convention to facilitate the emergence of such a consensus. It seems to me, therefore, that a great opportunity for a political understanding in the State has been thrown away. However, as the London *Economist* said in a recent issue 'what matters about congresses and conferences is not only who goes into them, but what comes out of them'. So, let me hope that what will come out of this Convention will really mark the beginning of a new development that will bring peace and happiness where uncertainty and trouble have reigned for many years.

III

Need for Settlement in Kashmir

Before dealing with some of the vital issues before this Convention, I should like to speak briefly to those in this State and the rest of the country who claim that there is nothing left to settle in Kashmir, that the State is as irrevocably a part of India as, let us say, Uttar Pradesh. All those who give expression to this view are not really of one mind on the question. There are, for instance, the Bharatiya Jan Sangh and elements in the Congress and the Government of India who hold that Article 370 of the Constitution of India should be abrogated and the State fully 'integrated' with the Union of

India, and further that Indian citizens should be able freely to buy land and settle down in the State. There are others, like Chief Minister G.M. Sadiq, who assert that the State is truly an integral part of India, though they concede that the quantum of autonomy that the State should enjoy is a negotiable matter. There are also several variations of this general theme, such as that (a) Jammu should be separated from the state or that (b) the area should be given a measure of regional autonomy within the State. There are also intermediate views between these proposals.

On the other hand, Sheikh Abdullah and many people associated with him do not agree that the State's accession was final and irrevocable. Had Sheikh Saheb been just an individual of little consequence, surrounded by a handful of other similar individuals, his opinions could have been ignored. But if one does not want to indulge in wishful thinking, it has to be recognised, however unpleasant and inconvenient it might be to some, that Sheikh Abdullah continues to be a key-figure in the State because he still commands impressive mass support in the valley as well as in certain other parts of the State. That being so, for a large number of people the question of Kashmir cannot be deemed to have been settled, unless the Sheikh is also a party to the settlement.

It is not necessary to remind you that if there was one man more responsible than anyone else for the accession of the State to the Indian Union in 1947, it was Sheikh Mohammed Abdullah. Another historical event deserves mention in this context: at the time of Independence, while overwhelming numbers of Muslims throughout undivided India had rallied to the banner of Mr. Jinnah and subscribed to his two-nation theory, two shining exceptions stood out in bold dissent: the North-West Frontier Province and the State of Jammu and Kashmir. The Muslim masses in these two regions refused to be swept off their feet by the cry of a separate Muslim nation. That was due, let it be remembered, to the leadership of two deeply religious and towering, charismatic Muslims: Khan Abdul Ghaffar Khan and Sheikh Abdullah.

After partition and the creation of Pakistan, it was Sheikh Abdullah again who led, in the face of Pakistani aggression, the

people of his State to throw in their lot with India. It was his consistently courageous, non-communal and enlightened leadership that gives the opportunity today to every Indian to hold up Kashmir as a noble example of Indian secularism. Even over the recent incidents at the Srinagar Engineering College, Sheikh Saheb demonstrated once again his uncompromising opposition to communalism.

These events, to mention only a few of many similar ones, place the leadership of Sheikh Abdullah and his views in true perspective.

There is another salient fact about this State to which I should like to draw the attention of those who assert that there is nothing left to settle in regard to Kashmir. That is the fact of widespread and persistent discontent in the Valley. Part of the discontent is undoubtedly of the same nature that one finds, in some measure or other, all over the country. But there is also no doubt that the greater part of it is peculiar to the State and stems from the political situation: in particular, from the lack of agreement with Sheikh Abdullah and the absence of genuine democracy and good government in the State. Some of the recent judgements on the election petitions in the State provide a significant commentary on the working of democracy here.

It seems to me that all those who loudly proclaim that Kashmir is an inalienable part of India should feel deeply concerned over this persistent discontent. But regrettably one does not find such concern in these quarters. The majority of them believe in a policy of drift and pathetically trust to time to settle all problems. It does not occur to them that time has not settled this particular problem in 21 years. Another 21 years are hardly likely to settle it along the path of indecision and opportunism. Indeed, if the situation is allowed to drift further and Sheikh Abdullah continues to be ignored, extremism would keep on growing apace and the consequences might well be incalculable.

There are, of course, those for whom the solution of every problem lies in force. To them it is of little significance how popular Sheikh Abdullah is and how disaffected are his followers. Force in their reckoning will take care of all that.

Such a naive and reactionary view appeals naturally to a certain type of mind. But the large-scale use of force, especially in such a sensitive spot of the world as Kashmir is, carries with it immense risks. There is also a real danger that the continued reliance on force in Kashmir may erode democracy in other parts of India, create and feed communal conflict, and become a running and festering sore in the body politic and economic of the country.

IV

The need for a Realistic Decision

I have dealt at some length and with complete frankness with the basic principles which govern my views on the problem of Kashmir. With equal frankness let me turn now to those who are assembled here for this Convention. Over the years a variety of solutions have been offered by different people with their own interpretations of the right of the people to self-determination. The point I should like to emphasise is that it is high time that a definite and realistic decision were taken now.

Time and circumstance move fast in a revolutionary age like the one in which we live. Statesmanship demands quick decisions in keeping with such changes. The question of Kashmir is not an academic one that can be debated indefinitely and in the abstract, while the economic and social needs of her people suffer sad neglect. It is very much a political question, but the choices in politics are always limited by a combination of circumstances which cannot be ignored.

There is frequent reference in a discussion of the Kashmir problem to the right of self-determination. That claim rests on an assurance first given on behalf of the Government of India by Lord Mountbatten in his letter to Maharaja Sir Hari Singh in these words : "as soon as law and order have been restored and the soil is cleared of the invader, the question of the State's accession should be settled by a reference to the people". It is but fair to point out that even now a large part of the State continues to be in alien hands. As a further complication,

there was the tragic conflict of 1965, and a recurrence of such conflict cannot be ruled out so long as Pakistan declines to accept a no-war pact.

Let me also remind you that the world of 1968 is far removed in outlook and mood from the world of 1947. In these intervening years, new factors have emerged which have radically altered the essential nature of the issues involved in a solution of the problem of Kashmir. The right to self-determination, viewed against such a changed background, needs to be interpreted afresh in keeping with today's needs of the people of Kashmir.

There is, of course, a broader implication in the right to self-determination, namely, the inherent right of every people to determine their ways of life and the form and character of their institutions. But this is an extremely complicated matter; and in the context of the modern nation-state, the complications are further compounded. Now, I am not an admirer of the nation-state and in fact regard it as an already outmoded and out-dated concept. But it exists and does seem to arouse the strongest sentiment that moves and unites men today. It cuts across the boundaries of region, race, language, culture and ideology, including the ideology of communism.

In the context of the nation-state, it is extremely difficult to define and geographically demarcate "a people". Are the Kashmiris a people? Then, what about the Dogras and the Ladakhis? Where will you draw the line? You can look around the world and see for yourselves how doggedly the existing nation-states, no matter how haphazardly created, fight against any of their 'peoples' wanting to break away or to exercise their right to self-determination.

This is a hard fact of which due notice must be taken. Whether one likes it or not, the Indian nation-state, also a haphazard creation owing to the tragedy of partition, has its geographical boundaries demarcated. India is no more prepared than Pakistan, or for that matter any other nation-state, willingly and peacefully to let any part of the country break away on any plea whatever. Let this fact be duly appreciated. No doubt military means can be used to enforce the right to self-determination, but a breakaway part of a nation-state is

never likely to achieve its end or maintain it for long by such means—unless it is helped by other powerful nation-states for their own selfish ends. However, such a possibility is entirely irrelevant to the discussion here, because I am not aware that there is any one present who is advocating a military or a violent solution.

Other factors, too, must be taken into account. The fate of the people of this region—Jammu, Kashmir and Ladakh—was determined over a hundred years ago, not primarily in their own interests but by the consideration that the State lay wedged in between three empires: Czarist Russia, China and Britain. The old rivals of the last century have no doubt disappeared, but the clash of interests continues in a different garb in today's world and in potentially more menacing terms. Small States, despite the noble aims and principles of the U.N. Charter, continue to become helpless pawns in the game of power-politics of big States.

These are unpleasant but inescapable realities; and as your friend and well-wisher I am bound to speak the truth as I see it. This Convention must understand clearly that after the 1965 conflict, no Government of India can accept a solution that places Kashmir outside the Union of India. Or, to put it positively, a solution has to be found within the framework of the Union. This statement should not surprise any of you, because this is not the first time that I am making it publicly. As some of you at least must know, this also happens to be the view of many others in the country who have been trying over the past several years to create public opinion in favour of an agreed settlement in Kashmir.

These then are the inevitable limitations imposed by circumstances to which I have referred in my opening remarks. Statesmanship on your side requires that you should adapt your policy and programme to suit the facts of the situation. To ignore them will only mean further tension, resulting, so far as your people are concerned, in frustration, uncertainty and misery.

These observations obviously raise a number of questions. Let me deal with some of them. I know that Sheikh Saheb and his colleagues have been emphasising the right of the people to

decide their future. I have indicated the considerations which must qualify this right. It may, of course, be argued that (a) the people have the right to decide whether they accept or not such qualifying considerations; and (b) if they do, what kind of a political settlement would they have *within* those limitations.

The main issue that I would place before you today is, how can the people decide these complicated and grave issues without clear and unambiguous advice from their leaders? I feel strongly, and wish to say to you with all the emphasis I can command, that *this is the occasion when you owe it to yourselves and to the people to make up your minds and advise them unambiguously on these vital issues.* I do not think it will be difficult for the leaders gathered here to go to the people and convince them that the decisions reached here are the best possible solutions in the circumstances and would guarantee them peace, happiness and honour. If this Convention is not to be a mere exercise in political debate but represents an earnest and constructive effort to find a practical way out of the present impasse, I am convinced that this is the wisest course open to it.

Another large question that my suggestion raises is, how will Pakistan react to a settlement within the limits pointed out by me? It is often urged that unless Pakistan is at least tacitly reconciled to the situation here, there can be no guarantee of peace and security in the State. This is true. So, let us see what possible Pakistani reaction there could be. Pakistan's public stand has always been that the people of this State should themselves decide their fate. Therefore, if you take a decision here and persuade the people to endorse it, as I have no doubt that you will be able to do, Pakistan will have no valid grievance or cause for complaint. World opinion too would acclaim a settlement acceptable to the people of Kashmir and restrain Pakistan from the pursuit of any policy but that of acceptance or acquiescence. Should that happen, it may prove to be the beginning of a new and happy chapter in the history of India-Pakistan relations.

The last question, and the most important, is, what about the possible reaction of the Government of India to the course

I am advocating here? While I cannot speak for the Government of India, I have no doubt that your acceptance of this line would clear the ground for a meaningful dialogue between your leaders and the Government of India. In that event, even other leaders of the State, who have stayed away from this Convention, may join forces with you. It seems to me that a new day would have truly dawned then.

Such questions as the constitutional status of the State within the Indian Union, a guarantee that that status would not be unilaterally altered, *etcetera*, will remain to be discussed. But the proper place for such discussions is not here but at a later stage, with the Government of India's representatives at the Conference table. I am aware that in some quarters there is a view which is opposed to any state being given a special position. But I doubt if such a view can be maintained in the changing circumstances of India. For historical reasons modifications will have to be made in the general pattern. Such modifications do, in fact, exist even today. There is also a developing pressure from the States for a larger measure of autonomy. It would be wrong to consider such trends as being disruptive of national unity. On the other hand, any attempt to impose a rigid uniformity from above is bound to create tensions that may be productive of seeds of disruption. With the situation undergoing a great change as a result of the general elections of 1967, there is urgent need to review Centre-State relationships from an entirely new angle. In a vast country like ours, national unity can only be fostered in an atmosphere of wise understanding of regional sentiments and interests and of a spirit of mutual tolerance. So long as political authority was the monopoly of a single party ruling at the Centre and in virtually all the States, the problem of Centre-State relations did not appear to be major significance. The general elections in February 1967 have resulted in a jockeying for power among political groups in a number of States. This is not the place nor the occasion for a detailed discussion of the theme. But it is relevant here to remark that Kashmir is not alone in its efforts to secure maximum autonomy.

These, my dear friends, are the "plain words" that I had

said at the outset I wanted to speak to you today. Let me once again assure you that they have been spoken from the heart and are intended to help you to arrive at a wise and practical decision. All eyes in the country are turned towards you, and every one expects that your decisions will prove to be a turning point towards a happier future.

Since this is the commencement of the Gandhi centenary year, it is appropriate that we should turn our thoughts in homage to the man who led us in the freedom struggle. Partition caused him deep anguish; but when he found that it was inevitable because most of his lieutenants were willing to pay that price for freedom, he continued to live in the hope that the separation would be as between friends and their relationship could be defined in a treaty to ensure a smooth and harmonious transition. Tragically, he did not live long enough after partition to see the fulfilment of such a hope.

This Convention, it is my earnest prayer, will so guide its proceedings as to make a renewal of that effort not only possible but also fruitful. There are all over the world today many spots of trouble and explosive danger. If through your decisions the prospects of peace and goodwill can be brightened in the entire region, described as the subcontinent south of the Himalayas, it will be a big step forward towards the world of Mahatma Gandhi's conception.

This is a great opportunity which you yourselves have had the foresight to create, and I pray to God that He may grant you the wisdom and courage that this occasion demands.

"KASHMIR DISPUTE" AND "WHAT WE STAND FOR"

QUAID-E-KASHMIR MOULVI MOHD. FAROOQ

Introduction

Mirwaiz Moulvi Mohammed Farooq is a Scion of the well-known family of Mirwaiz's of Kashmir which is reputed for learning and piety of its members and for the role they have played in the affairs of Kashmir. This has given it a pre-eminent position in the State. His forbears were held in great veneration and esteem by the people of Kashmir including Mirwaiz Rasool Shah, Mirwaiz Ahmedullah and Mirwaiz Atikullah. His immediate predecessor Moulana Mohd. Yousuf Shah played a notable part in the affairs of the State. He was President of Muslim Conference when it was formed in 1931 and lived his life in exile for the past 21 years. As he did not toe the line with Indian authorities but supported the right of self-determination of the people of Kashmir. Even before him Mirwaiz Ahmedullah was one of the signatories to the memorandum that was presented to the then Viceroy of India against the misrule of the then Maharaja Pratap Singh. As a matter of fact the genesis of the Kashmir renaissance can be directly traced to the memorandum which compelled one of the Ministers of State Sir Albion Benerjee to admit that Kashmir had been reduced to the position of "Dumb Driven Cattle". Mirwaiz Ahmedullah and his co-signatories to that memorandum had to suffer great privations following the submission of that memorandum. Equally respected by the non-muslims the Mirwaiz's have had a reputation for scholarship and piety. Mirwaiz Moulvi Mohammed Farooq was born on 14th December, 1944. After taking an honours degree, in Arabic he took over the religious leadership of his people as "Naib Mirwaiz" in 1962 following the death of his grandfather Moulvi Atiqullah. He continued to do so until the disappearance of the Holy Relic from the Hazratbal Shrine (December 1963)

which brought him in to the vortex of active politics. He soon became the head of the Action Committee—a united front, comprising of all political and religious organisations of Jammu and Kashmir which guided the activities of people during those hectic days while other leaders including Sheikh Mohammed Abdullah, were in detention. The agitation in connection therewith soon became one for the vindication of the people's right to the self-determination. He spearheaded this movement and a historic resolution to this effect was passed on 17th March, 1964 under his chairmanship. Following the 1965 Indo-Pakistan conflict he found himself in detention having been arrested on the 10th of October, 1965. He was held for more than two years without trial and had to face untold hardships and tribulation, being confined in interrogation cells and subjected to even 3rd degree methods. He came out of this ordeal on 20th December, 1967, and immediately on regaining his freedom he once again proclaimed his inalienable right to self-determination. He is heading the **Awami Action Committee** at present which is one of the leading political parties in Jammu & Kashmir State. He was elected Chairman of the 4th religious conference held on 6th April, 1968. He is the Chairman of the Awkaf Committee appointed for the management of the famous Jamia Masjid in Srinagar. He is also the President of the Anjuman Nasratul-Islam—a premier muslim organization devoted to promotion of the Cultural and educational interests of the Muslims of Jammu and Kashmir.

On December 7th, 1968 when Mirwaiz Mohammed Yousuf Shah passed away at the age of 75 in Rawalpindi, the 24-year old Naib Mirwaiz Mohd. Farooq became the Mirwaiz of Kashmir and for the second time in six years the ceremony of Dastarbandi was confirmed at a mammoth gathering in Jamia Masjid Srinagar.

Moulvi Farooq took a leading part in the State People's Convention and delivered an address which in certain respects will go down as an important contribution to the deliberations there.

The English version of his address is published here and

also the two scripts of his two speeches, one which he made at the convention and the other which he delivered at a public meeting in Jamia Masjid. It is hoped that these pronouncements emanating from him on this vexed question of Jammu & Kashmir will help to put the issue in the right perspective and will enlighten the people of the world as to what the people of the state stands for.

RAJA MOHAMMED AYUB

*Secretary A.A. Committee
J & K*

**IN THE NAME OF ALLAH, THE MOST BENEFICENT
AND THE MOST MERCIFUL**

I have participated in this Convention not in the spirit of seeking to play a role of a preceptor but am animated by the desire to know more of other people's views on our current problem. This was the main reason why I chose to be silent all these days listening to the addresses from others. But many of my colleagues had since been insisting that I should put forward my point of view and the view point of those whom I had the privilege to represent—"the *Awami Action Committee*." I, therefore, decided to speak today notwithstanding the fact that I had been hard pressed for time for sometime past and had therefore not been able to devote much thought to this matter.

I had hoped that those persons from across the cease-fire line and others who had been invited to participate in the convention would be granted facilities by the Government of India to do so—notably among them being *Hazrat Maulvi Mohammed Yousuf Shah* and his other lieutenants but to our great sorrow and dismay the Government of India had thought it fit not to permit their entry into the state. This has been a most unfortunate development and is of a piece with similar decisions taken by the Government of India in tackling this problem of the state.

Aims and Objects of the Convention

The members of the steering committee had made it clear time and again that the object of convening this convention was that persons with diverse opinions and belonging to different schools of thought should be enabled to meet in a conclave where they may consider their problem with an objectivity and thus be able to evolve a solution to the problem which had so far baffled all attempts at a solution with very dire consequences to all concerned.

I am confident, that if we here in this convention bring to bear on our task a detached outlook and a dispassionate consideration and consider the problem in a calm, cool and calculated manner, rising above all pettinesses, and narrow-mindedness, then we shall be able to achieve success in our efforts and I do pray to God Almighty that He may grant us the strength and fortitude to do so.

With these preliminary remarks, I would like to place before you my views with regard to the problem of Kashmir.

Kashmir Dispute

The dispute over the accession of Kashmir which had existed for the last 21 years had been causing deep agony and distress to the people of the state. Because of this dispute the people of the state Muslims, Hindus, Sikhs and others had to live under most intolerable conditions of great suspense and uncertainty about their future which had reacted most unfavourably on their well-being and prosperity. As you all know, in 1947, the sub-continent was partitioned and two new Dominions of India and Pakistan were carved out in consequence and the princely Indian states were given the option to accede to one or the other dominion. Most of these states exercised their option and some of them acceded to India and some to Pakistan. In doing so, the determining factors were largely those connected with geographical compulsions and other affinities of the people living in those states. Unfortunately, however, Kashmir and Hyderabad were the two principal states which did not take the decision in time in this

regard. It is not necessary for me to go into the fate that befell Hyderabad. I am dealing here with the question of Kashmir. In Kashmir after 3rd June, 1947 efforts were made to ensure that Kashmir may have good relations with both the countries. Most of you know what turn events then took. Because of my age, I belong to a generation that could not and had not taken any decisive part in shaping the events which had then unfurled themselves. But I know, that an overwhelming majority of the people of the state desired then the accession of the state to Pakistan as against the state's accession to India because of the natural affinities of the people of the state with the people of Pakistan. But there were some people who wanted to have friendly relations with both and were even desirous of maintaining their separate identity while acceding to one or the other. This is not only how the leaders of public opinion in the state felt but the Maharaja had also a similar feeling. But events moved fast. The two great communities inhabiting the sub-continent found themselves at logger-heads with each other and communal frenzy reared its ugly head and in the holocaust that ensued there hardly was left any time for any body to give a dispassionate thought to our problem. The erstwhile province of Punjab which almost surrounded the state was thus caught in this communal frenzy and the Eastern Punjab witnessed barbarism and savagery unparalleled in history which led to a large exodus of the muslims from that state and this led to a chain reaction in the other separated part of the former Punjab, vitiating the entire atmosphere in the sub-continent. As a result, communal disturbances broke out in most towns of Jammu—Kathua and Mirpur. It was only the Valley of Kashmir which was spared this conflagration and this was due largely to the spirit of accommodation and tolerance that existed among the various communities inhabiting the state and because of the restraining influence exercised by the muslim leaders in the state. Under these conditions the Maharaja's authority collapsed as the ice melts before the sharp rays of the sun.

Involuntary Accession

These were the circumstances in which the accession to the Union of India was affected. The world knows that this was a provisional accession and was resorted to in very abnormal and trying circumstances. The correspondence that had ensued between the Government of India and the Maharaja had made it crystal clear that it was a provisional accession and was subject to the condition of its being ratified by a referendum of the people of the state. Even if, such a condition had not been attached to this accession, the world would have never regarded it as a voluntary accession, considering the circumstances in which it had been brought about.

The pronouncements made in the Indian Parliament and the declarations made in various communications addressed to Pakistan by India all reaffirm India's stand that this accession was subject to ratification by the people of the state. The same principle was reaffirmed by India at various gatherings, at the United Nations Security Council and if we had to collect these documents in which the right of the people of the state to self-determination had been acknowledged by India, they will form a bulky volume. And, therefore, our stand has been with due regard to these pronouncements and commitments that the issue of accession had not yet been finally decided by the people of the state and whatever had been done was purely provisional and temporary. It is, therefore our stand that the final disposition of the state will be what the people of the state decide in a free and impartial plebiscite held under International auspices and that would be the only just solution of this matter because the right of self-determination of a people is wholly in accordance with International practice and usage and is, in the best traditions of mankind. This is also in keeping with the declarations by which India has sworn ceaselessly over the years. That stand would not only be in consonance with International norms of behaviour but would also meet the just aspirations and rights of the people. Pakistan had also accepted this principle and the Security Council of the United Nations in its resolution dated 13th August, 1948.

had confirmed this right of self-determination to the people of the state calculated to ensure a lasting settlement of this dispute. In these circumstances, I fail to see how a new formula, in substitution for this universally accepted principle could be evolved to settle this question and if it was possible to do so, who would feather it and secure its general acceptance. When all this is realised, the conclusion is irresistible that this principle of self-determination for the people of the state has been our objective for which we had striven and laboured so hard and had faced all privations and hardships and we hereby reaffirm our resolve that we shall not be deflected from our course no matter what the future may hold for us.

Why Pakistan is a party to this dispute

One of the slogans raised in New Delhi as tending to prolong this dispute over the state is that Pakistan is no party to the dispute. Let me say at once, that this slogan is wholly misconceived, based as it is on an attempt made to hoodwink world opinion by resorting to this wily diplomatic subterfuge. The object underlying such slogan-mongering is that among the three parties to the dispute namely—India, Pakistan and Kashmir, the first two are most powerful in view of their size, their resources both military and otherwise, whereas, the third party i.e. the people of Kashmir are the weakest and wholly unarmed. *If therefore, India could succeed in its object of making Pakistan withdraw from the dispute then the way is clear for it to bring pressure on the third party and impose on it a decision against its will.* It is for this reason that India has sought to back out of its past pledges, and commitments and contends that Pakistan is no party to this dispute although this position had been conceded by India to Pakistan ever since the inception of the dispute in June 1947 when the state of J & K became independent following the lapse of British Paramountcy over the Indian states and the people of the state regained their full sovereign rights.

According to all the geographical compulsions, the state of J & K had a natural affinity with Pakistan, in spite of the infamous Redcliffe Award which alone gave a foothold to India

in this respect. All the natural boundaries of the state were encased by Pakistan whereas only a small strip of land connected it with India, but all its rivers and all its mountains and all its boundaries were so located that the state of J & K could only be regarded as a part and parcel of Pakistan. The few miles of Indian territory from Lakinpur which joined the state were cut into two by the river Ravi, but its frontiers which joined themselves with Pakistan extending right from Lakinpur to Chitral and right upto Afghanistan and Soviet Russia, these frontiers ran across plateaus, rivers and mountains, but every drop of water that flowed from these rivers in Kashmir found their way into Pakistan. In short, from a geographical standpoint the state had innumerable affinities with Pakistan unlike India. In these circumstances, if there was a pause and the state had not acceded to either of the two Dominions following 15th August, 1947 then because of these geographical considerations, which I have pointed out above, Pakistan became naturally and vitally interested in the accession of the State to one of the two Dominions and, therefore, if India had conceded this right to Pakistan of being a party to this whole matter, then we could not lay the blame at the door of India, because by sheer dint of geography and history. Pakistan was a necessary party to this dispute and no expertise is needed to bring home this point.

Moreover, when it is a question of the accession of the state to either of these two countries, then the obvious thing is that this accession to them is not accession between two strips of territory but between two people's. And, therefore, the dominant question arises which are the two people's namely the people of India and Pakistan are those with whom the people of J&K have greater affinities cultural, religious, linguistic, ethical, commercial, economic and other similarities. And there can be no two opinions that judged by this standard the people of the state are naturally bound to the people of Pakistan and this alone is sufficient to invest Pakistan with the status of being a necessary party to this dispute and it is for these reasons that following the request made in October, 1947 by Maharaja Hari Singh for armed assistance by India, that India in her various letters, telegrams and in her broadcasts proclaimed to the world

that this matter of the people of Kashmir was to be settled by a referendum or a plebiscite as to whether the people of the state would join India or Pakistan. These declarations made by India herself all furnish incontrovertible evidence that *right from the very beginning India had treated Pakistan as a necessary party to this dispute*. While expecting the decision in respect of accession to go in its favour it had also conceded a similar right to Pakistan and had gone a step further than that and had raised the matter before the United Nations Security Council, where a resolution was passed, equating India and Pakistan in this matter, the resolution having been passed with the full consent of India and even today the United Nations is seized of this matter and when India goes over their, it finds Pakistan pitted against it meeting its own arguments with counter arguments recognizing it for all intents and purposes as a party to this dispute.

In the face of all these realities, if India turns a blind eye to all this and contend ostrich-like as some of the ministers of the state are also doing, that Pakistan has no locus-standi in this matter, than I would say, that this is the height of folly and shows how purblind they are, and, therefore such of us as have been maintaining that the issue of the accession of the state is still unresolved, do not seek to make Pakistan a party to the dispute, but all the facts point to its being such a party and when we say so, we only take cognizance of these facts as realists and practical men of the world and say that *until Pakistan is a party to any negotiations over Kashmir, the matter cannot be resolved*.

Need for Indo-Pak Friendship

Whereas I wish from the bottom of my heart that India and Pakistan should come closer to each other and their relations should be based on mutual concord and goodwill, I think that all sane persons should recognize this reality that the kind of relationship which would subsist between India and Pakistan would have its repercussions on us and if they both have peace and prosperity then we shall share that peace and prosperity and that God forbid, if their relations are strained and as a

result, they are involved in uncertainty and suspense, then we cannot escape from their ill effects and so long as good relations do not exist between these two countries, the question of Kashmir could not be settled in a calm and peaceful atmosphere which is what we so ardently desire. It is, therefore, my endeavour as well as that of the "Awami Action Committee" which I am heading that these two countries India and Pakistan may be able to settle their disputes peacefully. One of the major irritants between them is the question of Kashmir and there is therefore urgent need for settling this matter in a peaceful manner so that both countries may be able to progress and develop and that they thus be relieved of a huge burden which confrontation between them is causing them, so that the resources thus released could be diverted for ameliorative purposes for the greater good and prosperity of their respective peoples.

I wish to say in passing that one of the major results of this estrangement between India and Pakistan is the deplorable effect it has on the muslim minority in India where they have led an insecure life for the last 21 years and the fear complex under which the minorities in Pakistan are also labouring. This unhappy state of affairs between them provides a grist to the extremist elements in India who are exploiting the situation for their own ends and creating communal disturbances and it is a matter of great sorrow that the Indian Government had completely failed to keep these elements in check and to put down these disturbances which had given it such a bad name in the world. I am, however, confident that if India and Pakistan can succeed in sinking their differences, they will have no difficulty in curbing the activities of these mischievous elements.

Elections

There is a deplorable tendency noticeable to interlink these elections held in the state with this problem of Kashmir. So far as the question of elections is concerned, I have made it clear from time to time that I am not in principle opposed to taking part in such elections because elections are the very breath of democracy. But when it is sought to invest these

elections with a character which does not properly belong to them and an attempt is made to treat them as a substitute for a promised referendum or plebiscite, then these elections might well prove to be a snare and a delusion. Moreso, when you remember how these elections have been conducted in the past in the state when all the rules and regulations making for the purity of these elections had been thrown to the winds and mockery had been made of these elections these were the dangers inherent in such a situation which had led us to boycott these elections. The most important reason which weighs with us in shunning these elections, is that they are by a strange logic sought to be regarded as a substitute for the promised plebiscite or referendum if we are assured that these elections would be free and fair and would not be treated as an alternative to the promised referendum, the 'Awami Action Committee' will have no hesitation in taking part in them because we believe, in the democratic way of life and that is the reason why we are supporting this people's right to self-determination in regard to the dispute over the state.

Special Position of the State under the Indian Constitution

Sometimes the proposal is mooted that while the issue of Kashmir had not so far been settled, the solution lay in treating it as a constituent unit of the Indian Union with special powers and position assigned to it. Those who put forward such a suggestion fail to take note of the previous history of the case. I ask : is it not a fact that an assurance had been held out that barring three subjects viz : Communications, Defence and External Affairs and certain other ancillary matters the state of J&K would have complete autonomy and independence but when the Central Government leaders decided to bypass these commitments they had no difficulty whatsoever in so doing and the consequences thereof are for all to see. In these circumstances, those who advocate this solution that Kashmir may enjoy full autonomy within the framework of the Indian Constitution, we may enquire from them how this position can be ensured to be maintained ? Once bitten twice shy is an old adage, besides this suggestion is beset with other difficulties and

shortcomings into which it is not necessary to go at this stage. Therefore, consider this proposal to be wholly unacceptable.

Conclusion and the re-affirmation of our stand

To sum up, I wish to affirm once again that we do not regard the question of accession to have been finally decided so far. We hold that when the sub-continent which was one political entity since the Mughal days was divided and the two new dominions of India and Pakistan were created following the withdrawal of the British from the sub-continent the states on the lapse of the British suzerainty over them were given the option to accede to one or other of these dominions. Kashmir did not accede either to India or Pakistan but soon there broke out communal disturbances outside the state which had their repercussions in the state and there soon arose differences between the Maharaja and the people of the state. The people of Poonch, Mirpur and Muzaffarabad demanded the state's accession to Pakistan but the people of Jammu advocated the accession of the state to India. The matter did not rest with the adducing of arguments and counter arguments but there soon erupted violence on a huge scale and the whole of Jammu was a flame and the people of Kashmir who wanted to settle this matter peacefully and amicably were affected by these developments. A time came when the Maharaja's authority collapsed and he fled the capital of Kashmir, Srinagar and on arriving in Jammu asked for India's help but India laid down an unequivocal condition while accepting his request for armed assistance, that this accession would be purely provisional and had to be effected merely to get over a legal difficulty but as soon as law and order was restored, the people of the state would be given a full and final opportunity to decide this matter themselves.

In the face of these historical realities it is our faith and belief that the present relationship with the Union of India is purely temporary in character because the people of the state have had no opportunity to express their opinion so far in accordance with the promises made to them in October, 1947 and we, therefore, maintain that there must be a plebiscite held

under the International auspices in accordance with the Security Council resolutions, to which both India and Pakistan have assented. We have been struggling hard to achieve this objective. This is, therefore, not merely a political demand but resting as it does, on the Security Council Resolutions dated 13th August, 1948 and 5th January 1949, this demand for a plebiscite is a constitutional right which has acquired the status of a covenant and therefore there can be no substitute for it.

Some people suggest that we might put forward any other solution as an alternative to a plebiscite which might not involve the difficulties real or imaginary which they consider are involved in holding a plebiscite. I think that it is the height of injustice to require us to suggest such an alternative solution. When the three parties to the dispute India, Pak and Kashmir had agreed to the holding of a plebiscite and this decision had been ratified by the U.N. Organisation, then if for any reason any of the three parties thereto considers that this is not a practicable solution and some other solution must be found then the onus of finding such a solution does not lie on the two parties who still adhere to that decision but lies clearly on that party which has second thoughts on that question.

It, therefore, lies heavily on India to suggest any such solution if it seeks to go back on the previous decisions and if India is in a position to put forward a suggestion which is more democratic, more just and more practicable than the solution so far accepted by all concerned, then there is no reason why the other two parties will not give it the consideration which it deserves because by doing so, they would incur the odium of the world community. India had adopted a very queer position in this respect. It had accepted plebiscite as the best solution to this problem. It had stood by it for several long years and had acknowledged it to be the best solution in the Security Council and today it was resiling from it and while doing so, it did not put forward any other solution to the problem but was calling upon others to do so. In these circumstances, we see no reason to change our stand in this respect but wish to assure all concerned that if India has anything up its sleeves which is better than what we stand for, we shall certainly consider it very

carefully and if we find it worthy of acceptance, we shall not be found guilty of obduracy or intransigence.

In conclusion, I wish to say that I am very grateful to you for a patient hearing you have given me, May God bless you all !

WHILE ADDRESSING IN SUPPORT OF THE RESOLUTION NO. 1

Maulana Said

The Steering Committee of the State People's Convention at their meeting held yesterday have after a very careful consideration formulated some draft resolutions one of which relates particularly to our political problem. I propose to read this draft resolution over to you in English. It is as follows :

"The first session of the Jammu and Kashmir State People's Convention

having heard the various papers and speeches delivered by the delegates presenting different view-points on the issue of the State's political future, and

reaffirming the principle that a solution, of the problem, acceptable to the people of the State keeping in view the interests of all regions, can alone resolve the dispute and restore normalcy and tranquillity in Jammu and Kashmir including the sub-continent

instructs the Steering Committee of the State People's Convention to properly tabulate the presented material for submission to and discussion in the second session of the Convention as early as possible in order to pave the way for finding a peaceful, democratic, just and realistic and lasting solution of the issue."

I wish to explain very briefly the genesis of this draft resolution. The draft resolution seeks to highlight the fact that the

delegates who came from every nook and corner of the State to attend this Convention had both in their written and oral speeches put forward their viewpoints with regard to the political aspects of the question and they one and all had re-affirmed the fact that the solution to this question of Kashmir is one which should command general acceptance from the various sections of the people inhabiting its various regions and which is conceived with due regard to the interest of the generality of the people. Such a solution alone can end this dispute and usher in an era of progress and prosperity in the entire sub-continent including the State. The Steering Committee had therefore, been directed by this draft resolution that it should tabulate the various proposals contained in the speeches of the delegates with utmost despatch so that after such tabulation there may be a general discussion thereof at the next session of the Convention so that the delegates may thereby be afforded an opportunity of presenting their viewpoints freely and unreservedly. I am glad to find that this Convention has fully established the fact that the people of the State to whatever school of thought they may belong have the will and the capacity to sit together and consider their common problems in a spirit of tolerance and accommodation. As you all know, the question of the future of the State has become somewhat complicated and whereas the holding of this Convention is an initial step in the direction of finding a solution to this vexed question, I am hopeful that its efforts will bear fruit so that a solution which is acceptable to 55 lakhs of its inhabitants emerges from its deliberations. A grave responsibility rests on our shoulders. The draft resolution clearly states that only such solution of the question can be considered as is acceptable to the people of the state. We, therefore, proclaim **"that this country belong to us and we shall decide its destiny"** as has been aptly said by the poet. It is only through tears and the sweat of the brows that great causes can be accomplished. Sheikh Sahib too had re-affirmed this position time and again and therefore until the 55 lakhs of the inhabitants of the State do not support a solution to this question, it can never endure and last. If we all give a dispassionate thought to this question and act in concert with one another there is no reason for any

despondency. The way in which we have conducted our business during the last eight days gives hope for future progress and establishes the fact that this has been a historic gathering.

We have realised that a great lacuna in this Convention has been that persons from across the Cease-fire line who had been invited to attend this Convention had not been permitted to do so. At any event we shall strive hard to secure their participation at the next session of the Convention. May God bless our efforts and may the clouds of uncertainty and suspense which overhung us be quickly dissipated.

While addressing in Jamia Masjid on 25th October, 1968 Moulvi Mohammad Farooq, President Awami Action Committee, Jammu and Kashmir, while reviewing the present political situation in the state had observed as follows :

"The recent session of the State People's Convention held in Srinagar had made it clear to the World that the PROBLEM OF KASHMIR was a living one, and it was of the utmost importance to find a solution to it so that the uncertainty which over-hung that State and the cold war which existed between India and Pakistan would end, so that the peace of the world thereby be strengthened. The State People's Convention which was represented of all shades of opinion in the State and other important personalities had succeeded in exposing machinations of a small clique, which in their own selfish interests repeated parrot-like that the State was an integral part of India and the issue of this accession was a settled fact.

In this connection, I had explained my stand and that of my party repeatedly and I wish once again to affirm that the question of the State's accession is still unresolved and that so far the people of the State had not been given an opportunity to decide as to whether, they should accede to India or Pakistan, of their own free will and volition, although responsible Indian leaders and representatives of the Government of India had given a pledge to the people of Kashmir in 1947 and had since reaffirmed that pledge that the future of the State would be decided by a free and impartial plebiscite held under the United Nations auspices and Pakistan and the Security Council had

ratified these assurances and pledges, they had not been implemented by India on one pretext or the other.

I, therefore, declare that the only way to settle this long standing dispute is to hold the promised *plebiscite*. **That solution is a long just peaceful, democratic and in accordance with the realities of case.** I had explained this aspect of the matter, while addressing the recent convention in Srinagar and I shall continue to press this with all the force at my command as and when an occasion presents itself.

We have so far been struggling hard for the vindication of our just rights and with God's grace we shall continue to strive to do so hereafter, and we shall not consider any sacrifice too great for the realization of our inalienable right to self-determination.

If India does not take advantage of the opportunity that has presented itself to it and continues to be intransigent as before, then it will have entirely to blame itself."

KASHMIR : CHALLENGE AND RESPONSE

PREM NATH BAZAZ

By a vicious combination of circumstances at the time of independence, the people of Jammu and Kashmir State were involved in a dispute between India and Pakistan. A situation has been sedulously created in which it is assumed that the State people have little say in the matter which, nevertheless, primarily concerns them. For various reasons the two newly liberated countries have failed to arrive at an agreement and so the dispute remains unsettled. As things are at present there is slim hope that any peaceful settlement will take place in the foreseeable future. Thus the State people seem destined to suffer endlessly by being denied many human and political rights, as they have been since 1947, some of which they enjoyed even under harsh rule of the autocratic Maharaja.

Aims of the Convention

For the first time during the past two decades we have assembled in this convention as seekers of peace and goodwill to review the problem raised by the dispute in all its aspects and try to evolve a democratic as well as realistic solution which may be acceptable alike to the fair-minded sections of the majority and the minority communities in the State. We do not claim to be a representative body of the people in the sense of being elected by them nor do we presume to be wiser than many others functioning in the social field who are not present in this gathering. But, in all humility, we intend to bring an unbiased mind to bear on the vital subject and by accommodating one another's point of view arrive at an understanding which may sooner or later lead us to a reasonable solution.

There is no inclination to underestimate the tremendous difficulties with which the problem is beset nor do we wish to minimise the profound differences among the participants in the convention about approach to a settlement. But it is sincerely believed that a free discussion with an open mind and a strong desire to end the demoralising suspense born of prevailing uncertainty can be helpful in a search for a solution. It will in any case destroy the rigidity in the thinking of the State people which has grown harder by the frequent failures of India and Pakistan in their talks over the dispute.

It hurts our sense of self-respect and national pride that two neighbouring powers should wrangle between themselves to decide our fate while we should be made to watch as helpless witnesses. The drama has been played for too long and it is time that the main actor is brought on the stage and afforded fullest opportunity to make his ideas known. We believe that by doing so a climate can be generated for a fruitful search of the solution.

Despite the fact that the accession issue has been and is the most important problem facing contemporary Kashmir, the rulers have not allowed any public debate or discussion on the subject; the only views aired so far have been that of the ruling party. Fear of imprisonment, torture and financial loss by orders of the Government as punishment for holding independent views has closed the minds of the citizens and encouraged hypocrisy. One aim of this convention is to make people fearless and frank and let all shades of opinion be freely expressed thus enabling every one desirous of becoming informed to learn the complexities and implications of the problem.

Objections against the Convention

Having briefly stated the purpose for which this convention is being held I may now meet the objections that are being raised against its coming into existence.

(i) Accession is Final and Irrevocable

It is frequently asserted that the State people have as early as 1947 chosen to accede to India and this decision carries the seal of finality. In support of this assertion we are told that on 26th October 1947 the Maharaja who was, under Indian Independence Act of British Parliament, entitled to do so, applied for the accession and India's Governor-General accepted the same; that the National Conference, then premier political party of Jammu and Kashmir, adopted a resolution approving the accession; that this decision was reiterated by the party and its top leaders in several plenary sessions of the Conference from October 1947 onwards; and that it was also confirmed by the Kashmir Constituent Assembly on 6th February 1954. Therefore, the accession cannot be set aside now and has to be considered as final and irrevocable.

These statements are only partly correct because they conveniently ignore that from the outset the State's accession to the Indian Union was provisional and conditional on the exercise of the final authority by the State people. In his letter of acceptance dated 28 October 1947 addressed to the Maharaja, Lord Mountbatten, Governor-General, clearly laid down that "in the case of any state where the issue of accession has been subject of dispute the question of accession should be decided in accordance with the wishes of the people of the State". The Governor-General told the Maharaja: "It is my Government's wish that, as soon as law and order have been restored and the soil cleared of the invader, the question of State's accession should be settled by a reference to the people". This assurance has not been fulfilled and therefore the issue remains open till today.

(ii) Sovereignty belongs to People not to Parties or leaders

Of greater importance than the fulfilment of the condition proposed by the head of the Indian State is the method by which the accession was to be finalised. There was little moral or political justification for Congress leaders or the Indian Government to yield to the persuasion of the Maharaja or the

National Conference and its leaders in accepting the accession offer without first ascertaining the will of the State people through a free referendum. For no individual, however eminent and no political party, however popular, could be permitted to usurp the sovereign right of self-determination of the people.

(iii) Constituent Assembly had no Representative Character

Indian publicists now freely, though rather unabashedly, admit that the elections to the Constituent Assembly were rigged and fraudulent. If so, no value can be attached to the resolutions passed by that Assembly. Moreover, with the deposition, arrest and incarceration in August 1953 of the top-most leader of Nation Conference Party along with his intimate colleagues, the Constituent Assembly lost whatever representative character it might have possessed. It may also be noted that the opinion of the Constituent Assembly could not be a substitute for a verdict by State people in a free referendum.

(iv) Evidence that Accession was Provisional

If the resolutions of the National Conference finally and irrevocably set seal of confirmation on the instrument of accession offered by the Maharaja and accepted by the Governor-General why did the Indian Government think it fit and necessary to approach the U.N. Security Council on 1st January 1948 for assistance to drive out invaders on the bargain to hold a referendum for the settlement of the accession issue when the State was cleared of the invading tribesmen and normalcy restored in the area? What made India accept the two resolutions dated 13th August 1948 and 5th January 1949 of the Security Council which directed the two countries to get the accession dispute settled by the method of a free and impartial plebiscite under U.N. auspices? I do not propose to spend the time of this convention by making relevant quotations from the white papers issued by the Indian Government or the speeches and statements made by late Prime Minister Jawahar-

lal Nehru from November 1947 to the end of 1950 in support of the contention that Kashmir accession was subject to the popular will.

It is relevant here to make a reference to Article 370 of the Indian Constitution which despite the concerted efforts of the reactionaries and communalists to get it rescinded, stands unabrogated till this day. Those publicists and politicians who contend that Kashmir has acceded to India like any other state have to explain why a necessity was felt by the Constitution-makers to get this special provision inserted in the Constitution. The article virtually recognises the independence of Jammu and Kashmir State within the Indian Union. It entitles the people of the State to shape their future relationship with India in light of the experience gained by them after adoption of the Constitution.

According to the special provision, the whole of Article 238 of the Indian Constitution applicable to all other states, did not apply to Jammu and Kashmir. The Article 370 further limited the powers of Indian Parliament in regard to the State to make laws about matters detailed in the Union List and Concurrent List.

Sub-clause (3) of the Article 370 which envisages the termination of the special status is significant. The sub-clause lays down in clear terms that the President may by public notification declare that this article shall cease to be operative or will be operative with such exception as specified but the recommendation of the Constituent Assembly of the Kashmir State to this effect shall be necessary before the President issues such a notification. After the dissolution of the State Constituent Assembly the right to recommend could naturally be exercised either directly by the Kashmiris or by their genuine representatives chosen in a free and fair election. It is sad that the Article has been tampered with against the wishes of the State people; but that is a different story.

(v) Farical Elections

The argument that the popular will of the State people has been expressed through adult franchise in the general elections

of 1957, 1962 and 1967 loses all force when it is known that not even once the people voted freely or fearlessly. There is hardly any reputable Indian journal which has not exposed the hollowness of the claim that the State legislature after 1947 has been representative of the people. The indisputable fact that on all the three occasions the prominent leaders and workers of the democratic opposition parties were in prison is sufficient to prove the worthlessness of these elections.

(vi) *Right of Self-Determination and World Peace*

At the termination of the First World War in 1918, the great statesmen endeavouring to set the disturbed world in order and to preserve and fortify democracy realised that until every nation, big or small, was able to freely shape its own destiny, world peace would remain an unattainable goal. The realisation gave birth to the now universally acclaimed principle of the right of self-determination.

Even before the First World War, India reposed faith in the principle underlying the right of self-determination. When that great fighter for freedom, Bal Gangadhar Tilak, declared in 1905 that "Swarajya is my birth right and I shall have it", he was doing no more than enunciating this principle. After the conclusion of the peace treaties at the end of the Second World War in 1945, India understandably became the staunchest champion of the principle advocating the cause of every nation struggling for independent existence anywhere on the globe. In world forums India's representatives unfailingly raised their powerful voice in support of the cause.

It is therefore disheartening to observe that India should oppose this right in case of the Kashmiris. The principle has not been discarded as such but it is held that it can be practised anywhere else in the wide world but not in the State of Jammu and Kashmir. The double standard is morally untenable.

Had India been a despotic or an authoritarian state her Kashmir policy would be logical and comprehensible. But she has adopted a liberal constitution under which every unit enjoys the perpetual right of self-determination in the form of free and fair general elections after every five years. If India

continues to uphold to political philosophy on which the Constitution is based and is not, let us hope, overwhelmed by reactionary and antiprogressive forces, a day is bound to come when she will be compelled to enforce the free elections in Jammu and Kashmir. The undesirable consequences expected to follow by holding a plebiscite can occur at the completion of the free elections as well; for if the current barren policy is not revised relations between the Indians and the Kashmiris will increasingly deteriorate causing intense bitterness and asperity between the two. By returning prosecessionist candidates to the State legislature and the Parliament the people will have given the verdict against India.

Allowing exercise of self-determination right to the State people is not a concession to an aggressive demand but an urgent need to be fulfilled with purpose of ensuring the welfare of India including Jammu & Kashmir. Until the State people exercise this right there is little likelihood that State politics can be stabilised or clean administration guaranteed to the people.

Fears and Suspicions

I do not propose to recount the many grievances of the Kashmiris or their fears and suspicions if the State continues to remain with India *as it is* and be governed by the leaders without any representative character. I have done so elaborately elsewhere. Here it would suffice to stress that the most important of the grievances is the distrust of the Muslims in the circles of Indian politicians and administrators which takes innumerable forms in day to day affairs; the most corroding fear is the loss of sense of belonging which the Kashmir Muslims entertain. The Muslims are often made to feel that they do not belong to India as do the Hindus; the contrast in the treatment of displaced Hindus and Sikhs in Chhamb and the Muslims in Rajouri-Poonch after termination of the Indo-Pak hostilities is a recent instance to illustrate the invidious policy.

The State of Jammu and Kashmir can become a permanent constituent unit of the Indian Union and the State people a

part of the Indian Nation by the free will of the Kashmiris and not otherwise.

Uncertainty about the future has eaten into the vitals of the State people's social and political life. Notwithstanding the repeated declarations of the Congress leaders that peace prevails in the land there is no Kashmiri, Hindu or Muslim, who is free from apprehension about his own welfare and the future of his homeland. By evolving a reasonable solution of the accession problem we can end the uncertainty and the suspense.

Challenge and Response

Of late it has been bruited about by some top-ranking Indian leaders that opposition politicians in Kashmir are confused not knowing precisely what they want. The impression given is that India would be prepared to hear and discuss any proposal if it were presented in a cut and dried form. This is a challenge which we can ill afford to overlook. I confess I have a feeling that beyond dogmatically indulging in cheap emotion-raising slogans we have not given any serious thought to the challenge. This convention if it is to serve its purpose should help the State people to grasp all the aspects of the problem and understand what is good for them and their country. We must rise to the occasion and meet the challenge.

At the time of the sub-continent's independence it was easier to abide by the principle underlying partition and settle the fate of Jammu and Kashmir like the rest of the country, once and for all. Some politicians especially of the younger generation may fondly believe that the magic mantra of "plebiscite" can disentangle the gordian knot even today and bring back the lost peace but I am sure it is not as simple as that. The developments during the past two decades in both countries as well as in the two parts of Jammu and Kashmir State divided by the cease-fire line have so complicated the issue that we are faced with a baffling situation which depresses the stoutest of hearts. We have assembled here to accomplish that seemingly impossible task.

Lessons of History

In grappling with the imponderable, political dogmas, religious shibboleths, racial prejudices and fanatical beliefs can be of little avail. Shedding the communal hatred and intolerance which we have recently accumulated in our minds we shall have to seek light for a solution from the values and traditions we have inherited from our past history and the doctrines we have cultivated during the course of our freedom struggle.

It is not for the first time in our history that we stand at crossroads. Apart from many changes from time to time the Kashmiris have witnessed two great cultural and political revolutions in bygone ages; First, in the third century B.C. when Buddhism ousted Vedic Brahminism and established a casteless society. The second revolution occurred in fourteenth century A.D. when Hindu polity lost all progressive potentialities and was fatally struck down by Islam. How did our forefathers react to the challenge? They welcomed new creeds but refused to sweep off their feet and get overwhelmed by them. Whatever was progressive, truthful and constructive they did not hesitate to own; they chose the path of eclecticism and evolved philosophies—Trika Shastra on the former occasion and Reshi Cult on the latter—to preserve and fortify their own culture. They refused to succumb or get totally absorbed. In this way they had gradually through the centuries built a national character and peculiar individuality of their own which they were jealous to preserve in sunny as well as rainy days. The lesson of history, therefore, is that a Kashmiri is tolerant, willing to imbibe fresh ideas and truths, ready for compromise but never prepared to abandon a principle, lose identity or yield before physical force or injustice.

Religious Humanism propounded by hermitess Lal Ded and saint Nund Reshi, and taught and practised by their follower known as Reshis or Babas, has been the precious heritage of all classes and communities in the Valley whether formally they profess Islam, Hinduism, Buddhism or any other religion. Activities which are not in tune with this

philosophy and culture have been disapproved and disliked by them.

And Freedom Struggle

Broadly speaking, Kashmir freedom struggle since 1931 upto 1947 may be divided in to three periods. (1) Muslim revolt against Hindu despotism (1931-1935), (2) Demand for Responsible Government on secular basis under the aegis of the Maharaja (1935-1943) and (3) Complete freedom from Dogra autocracy and determination to establish social democracy (1943-1947).

The nature and character of the freedom struggle has to be judged by scrutiny of three historical documents which were respectively issued during these three periods. (1) Memorandum submitted to the Maharaja by the accredited Muslim leaders in October 1931, (2) the 'National Demand' issued under the signatures of prominent leaders in August 1938 and (3) the 'New Kashmir Manifesto' adopted by the National Conference at its Soporesession in September 1945.

Produced in different phases of political development these documents contain some material that would appear meaningless and anachronistic today but a serious research student cannot fail to observe that certain basic principles are common to them all ; notably, it will be seen that they are in accord with the cultural heritage referred to above. Even in the first document drafted under great strain of unprecedented upheaval when the atmosphere was surcharged with communal animosity there is nothing in it for which a secularist Muslim should feel repentant or regretful ; concern is expressed for the welfare of the non Muslims and the healthy traditions of the communal concord in the country. While, therefore, considering the different solutions of the Kashmir issue we shall have to keep in view the fundamental principles which run like a thread through various epochs of our past history as well as the different periods of our political struggle. Our main preoccupation should be maintenance of the composite character of our national culture and the achievement of social democracy in which domination of one community by another or one man by another is rendered impossible.

Kashmir and Pakistan

In 1960, Indian leaders startled the world by declaring that Pakistan was no party to the accession dispute.

It is amazing that such a statement should emanate from high quarters and circles of sober-minded politicians. From the day of the sub-continent's partition India has recognised Pakistan as a party and periodically entered into negotiations with her to get the dispute settled. A solemn agreement in the shape of the two U.N. Security Council resolutions has been signed by both the countries which has by no means lost validity in the eyes of international law.

The Pakistanis and the Kashmiris are closely knit together by ties of Islam and Muslim traditions of social life just as they are united with India by bonds of similar political and cultural ideals. As long as Kashmiris are resentful and unhappy Pakistan cannot be expected to keep silent. The way to silence her is not to denounce or discredit her or present her in dark colours but by removing the genuine grievances and well-founded apprehensions of the Kashmiris. Once that is done, Pakistan will, we believe see her way to come to an honourable understanding with India over the dispute.

We cannot afford to lose the sympathies and friendship of either of the two countries. The enduring peace and future progress and prosperity of our State depend on friendly relations between these two neighbours and we ardently hope that they will not stand at daggers drawn against each other for long.

However, it is one thing to cherish brotherly relations with Pakistan but it is another to become a part of that State.

Accession to India or Pakistan is not the be-all and end-all of our national life. Our goal has been and continues to be the establishment of social democracy where exploitation of one class by another or one individual by another ceases for ever. While slowly but steadily proceeding towards this goal we, to our dismay, suddenly found ourselves at the time of the subcontinent's independence in the whirlpool of accession controversy from which we are struggling to extricate ourselves.

In choosing the alternative of accession to India or Pakistan

our predicament is great indeed. We value composite culture which has been reared through the past ages in our ancient land and therefore we are secular in outlook believing that every citizen of Jammu and Kashmir has equal rights irrespective of the religion he or she follows. We have discarded communalism in the thirties after finding it inadequate for the achievement of our ideals. We cherish human values and continue to have faith in the cardinal principles on which the Indian Constitution is based because they have guided us through the decades of our freedom struggle. Yet we are today, as a result of the bitter experiences made during twenty-one year-long close association with India, sadly disillusioned. Nevertheless we cannot afford to create artificial divisions among our people if we are bent upon achieving progress and prosperity. Nor do our intimate and deep religious ties with Pakistan make us eager for affiliation with that country. For we realise that our political philosophy and social aims are different. In the contemporary world affinity of religion alone cannot make two nations one when their approaches to the problems of politics, economics and social life are dissimilar. As can be easily seen national emotions and economic interests override religious sentiments in different Muslim countries of the world.

After partition, Pakistan witnessed several vicissitudes in her fortunes. Pakistani leaders failed for a decade in one attempt after another to frame a constitution for the country. Ignoring the laudable notions expressed by Qaid-e-Azam Jinnah in his opening address to the Pakistan Constituent Assembly on 14th August 1947, that in the new state "Hindus will cease to be Hindus and Muslims will cease to be Muslims as citizens of the nation", the new men who came to power in Pakistan rejected secularism outright and laboured to lay the foundations of a religious state. But the constitution promulgated by one government was abrogated by another which replaced it. After toying with democracy for a number of years the country came in 1958 under the authoritarian rule of a military junta which no doubt gave it stability and peace but at a heavy cost suppressing free thought and denying many democratic and human rights to the people. The country

has to be ruled by Draconian laws: thousands of patriots and lovers of freedom have suffered long incarceration for holding independent views. Those who do not fall in line with the dictatorial regime have no place as free citizens in Pakistan. One need not remind this assembly of the very sad lot of Abdul Gaffar Khan and Samad Khan, veteran leaders of the freedom movement, or many other high souled patriots some of whom are now involved in a conspiracy case in East Bengal.

West Pakistan dominated by avaricious feudal lords and pugnacious Khans is at loggerheads with the pacifist and progressive East Bengal which is fighting with its back to the wall to preserve its cultural identity and political individuality.

Medieval in outlook, Pakistan has adopted an antediluvian constitution and rejected adult franchise to elect the national assembly; resolutions and bills adopted by the Assembly even on non religious matters are subject to the approval of a board of Muslim divines; non-Muslims are treated as second class citizens ineligible to hold the highest office in the state; there is no recognition of small nationalities and no respect for different languages and diverse cultures even within the fold of Islam. The Pathans, the Bulochis, the Sindhis and the Punjabis have been amalgamated into one, the weaker going to the wall. The right of self-determination so frequently flaunted in the face of India whenever Kashmir issue comes up for discussion, is forbidden to be mentioned in regard to the Pakistanis themselves. To all intents and purposes "right of self-determination" cry is a stick in the hands of Pakistan leaders to beat India with. In the country itself the principle is more honoured in breach than in observance. In these circumstances it is permissible to guess that if Kashmiris choose to join Pakistan their fate will be no better than that of Pakhtoons, Bengalis and Bulochis.

Possibly in the process of their political evolution the Pakistanis have not yet reached a level where democracy would suit them; in any case, it is for them to judge what is good for them. If they are satisfied with the authoritarian regime and the restricted freedom allowed to them no outsider need poke his nose into the affair. But it is evident that, true to our past

cultural traditions and the ideals cherished by us, we can not with our eyes open undergo the yoke borne by the Pakistanis on their shoulders. Because our experience with India has been unhappy and bitter is no reason to accept an alternative which may prove worse. For, once we consent to voluntarily form part of Pakistan we can never have the opportunity to revise our decision. Let us therefore, proceed with utmost caution. It is no part of wisdom to jump from a frying pan into fire.

Azad Kashmir

As if it were to give the Kashmiris a foretaste of the fate that was in store for them if they decided to accede to Pakistan a part of the State came in possession of that country as an outcome of the tribal raids in October 1947. This is called Azad (Free) Kashmir denoting that the Kashmiris living in it have been liberated from Hindu autocracy. At the time of its formation in October 1947 it was announced that the people living in the Azad territory would soon see the fulfilment of their aspirations for which they had been struggling since 1931. What actually happened subsequently in Azad Kashmir during the last two decades is a sorry tale of the wretched people living in the area. Denied even the limited constitutional freedom earned under the Hindu despot, the helpless Muslims are held down by force no longer by the Dogra Maharaja but by their own coreligionists. No legislative assembly or any autonomous institution worth the name is in existence in Azad Kashmir; hands of the clock of progress were turned backwards. Finally, Pakistan remorselessly took the "free" state under its protective wings, treating it like a dependency. A secretary of the Central Government of Pakistan is functioning as an overlord who can manipulate to appoint or dismiss the local authorities including the President without ascertaining the wishes of the people. The unceremonious expulsion of K.H. Khurshid from the presidency of Azad Kashmir in 1964 and his imprisonment for supporting "Independent Kashmir" move bears testimony to this fact. Remarkably, earlier for over two years the victi-

mised politician had been boosted as "the head of Azad Kashmir chosen by an advisory board elected by the Kashmir people."

In the heat of accession controversy we are apt to overlook or underestimate the economic progress registered by the people on this side of cease-fire line during the past twenty-one years. I need not go into its details. But I can say that despite steep rise in the prices of commodities it would be fair to judge that there has been a marked improvement in the general standard of life. The progress in education which is free from primary stages to the university level as nowhere else in the Indian Union or Pakistan has been phenomenal. While on the eve of independence the Maharaja's Government spent only Rs. 35 lakhs on education for the entire State, the budget allocation for it today in this part of the State exceeds Rs. 550 lakhs.

Political Realism

Not only have we to carefully examine the alternative that is possible to have in place of the present provisional accession to India, we have also to assess to what extent we can bring about a change. We have to enlist the support of the Indian public no less than that of the State people. Politics is defined by the scientists as the art of the possible; only those politicians can hope to successfully guide the destiny of a people who understand this art and play it dexterously.

Therefore, let us now cast a look at the events and developments since 1947 to be able to know how we have reached where we stand today. Is India solely responsible for our uncertain future? It would be unfair to ignore that in 1947 it was the National Conference, premier political body of Jammu and Kashmir, which led the State people to join India and as a matter of fact, when the Indian leaders hesitated to go ahead the Conference stalwarts persuaded them to take the plunge. For over 20 years the alliance of India and Kashmir has continued with the support of at least some top-ranking leaders who are in no way the creatures of Indian Government but have played prominent roles in freedom fight in pre 1947 days.

I am not blaming any one or casting aspirations on the

motives of those who either recommended State's accession to India or cooperated with New Delhi authorities for maintaining the anti-democratic structure in the State. I am only pointing to easily forgotten historical facts and the consequences flowing from them. We cannot escape our share of the responsibilities for the developments that have taken place in our home land since 1947, for the numerous problems which have cropped up by close association of India and Kashmir, for the popular psychologies—both healthy and irrational—which the alliance has produced and fostered here and outside.

It is not possible to erase history of the two decades by laying the entire blame at the door of India. We have contributed to the making of it and must not only frankly admit our waywardness but be prepared to meet the consequences and offer our hand of cooperation in setting the matter right when India on her part displays willingness to do so. If India has to be reminded of her international agreements, solemn promises and important assurances we cannot, in good conscience, repudiate our own pledges, statements and declarations publicly made in the hearing of the world audience.

We are fully justified in criticising India for many failures, broken promises, anti-democratic acts, religion-ridden administrators, and anti-secular politicians wielding enormous influence at New Delhi. We cannot forget that our expectations have been belied and hopes frustrated; but though angry with Indian behaviour, we cannot renounce the principles of social democracy and communal concord.

Exercise of the right of self-determination cannot be absolute where communal passions have been aroused and religious minorities feel their lives or property endangered. If as an outcome of a plebiscite held under the present circumstances, the predominantly Muslim areas of the State sever connection with India or accede to Pakistan it is obvious that non-Muslims in the Valley will have to say good-bye to their hearth and home and become refugees in India. What alternative is left to these hapless people but to resolutely oppose the demand of self-determination right under the prevailing conditions and tenaciously fight for status quo with all weapons available to them. It is thus that even

liberal-minded Hindu and Sikh democrats are intent upon defeating the Muslim objective of change. For self-effacement is no virtue glorified by the philosophy of liberalism or democracy. Wise Muslim patriots and especially Muslim intellectuals shall have to help this convention in evolving a solution which may be acceptable to at least the saner sections of the non-Muslims.

Muslim politicians should not forget that the Indian sub-continent was partitioned because the minority community wanted it so. Had the communal problem been referred to the vote of the majority at the time of independence there is no doubt that the unity of the sub-continent would have been maintained. As long as the Muslim politicians plan to secede under cover of self-determination slogan non-Muslims will be morally right and politically justified in opposing the demand.

In Throes of a New Revolution

For the third time in its history Kashmir society is again face to face with a gigantic social change; it is in the throes of a revolution; the accession issue is but a symptom of the same. The Kashmiris are called upon to make a momentous choice. In deciding about their future affiliations and political stance they shall have to take many things into consideration; historical traditions, principles which guided their freedom movement, urges and aspirations of the common man, stark realities of the situation but, above all, human and democratic values which should serve as beacon for a modern society determined to be progressive and free. Those among our people who think that we can completely break with the past, disown our cultural heritage and discard the fundamental principles which we have chosen as our mainstay so far while fighting for freedom do not know that such attempts are bound to ultimately end in failure. The character of a people is not built in one day or one decade. We are destined to function largely in accordance with the traits of character we have inherited. Of course it is open to us to improve our lot in the light of modern ideas of social justice but it would be ruinous

if under emotional strain or any powerful sentiment we entirely ignore history, ancient or recent.

The Three Alternatives

Indian Nationalism has been weighed and reweighed by us in the scales of secular democracy after 1947 and found wanting. Its failure is writ large in the increasing number of communal clashes all over India during past years in which members of the minority communities have suffered. Though professedly above prejudices of caste, race and religion, Indian Nationalism is, in practice, heavily influenced by the caste and communal prejudices. We, therefore, reject it as unsuited to our way of life and temperament.

Nevertheless, it is difficult to imagine that as part of Pakistan, Kashmir can have a healthy growth and prosper. The deep and vital difference between the philosophies espoused by the two people forbids affiliation. The experience of our brethren living in Azad Kashmir is not encouraging to say the least.

Then there is the alluring alternative of independent sovereign Kashmir. It raises many questions which have to be answered satisfactorily before opinion can be pronounced one way or the other. Can independent Kashmir be viable? Can a small territory have the cultural and economic resources to steadily develop into a real democratic state? Situated as the State is, can it remain aloof from international conspiracies and the intrigues hatched by outsiders who can find their cat's paw in plenty within our homeland? If the State becomes a hotbed of conspiracies its rulers, however honest and efficient, will be more engaged in uprooting them than in attending to the welfare of the State and its people.

Thus every solution we can think of bristles with difficulties. That should not however discourage or depress us. For, with patience, breadth of vision and firm will much more complicated issues have been successfully tackled.

The issue poses a challenge to our spirit of patriotism and sense of statesmanship. If we do not respond to it appropriately we shall not only be held guilty by the present generation

for having created the mess but will also be denounced by many generations to come. The elderly among us shall have bequeathed an evil legacy for which they do not surely deserve any encomiums.

A Historic Adventure

By holding this convention we have embarked upon a historic adventure; it is a task of immense magnitude. For its success much depends on the attitude which we bring to bear on the discussions in this convention.

In a controversial issue like the one we are confronted with extreme postures are unhelpful; they can generate heat but give no light. Neither the extremism of pro-India sections nor the extremism of pro-Pakistan classes can bring us nearer to solution. When passions rise reason ceases to function and it becomes convenient, easy and irresistible to take extreme postures. But that is surely not the way leading to happiness of a nation.

It is when a spirit of give and take permeates and each participant trying to understand other's viewpoint is anxious to accommodate him that we can be successful in our mission. We have to be steadfast on democratic principles and stand firm for social justice. But not unoften people become rigid or get bogged in details. We shall have to avoid such pitfalls.

It is evident that we hold diverse viewpoints and espouse different solutions. If every participant insists on having his way it is impossible to arrive at a unanimous agreement or even a consensus. Therefore, wisdom consists in holding to the principle of democracy yet yielding on details and matters of lesser significance.

For many centuries Kashmir has been famous all over the world for its scenic beauties and superb climate. In past years it has become widely known as a trouble spot and an apple of discord. We have involuntarily achieved an importance which is by no means enviable. If however we are prudent, patient, and far-sighted, refuse to be egged on by fanaticism and make a balanced decision about the future which is in tune with modern ideas of freedom, we can turn the present situation to

great advantage not only for ourselves but also for the people of India and Pakistan. We can help to restore communal harmony in India, hearten secular democratic forces in Pakistan and bring peace to the suffering sub-continent.

For the first time after 1947, an assembly of vital importance has been convened by Sheikh Mohammed Abdullah our elderly statesman, whose influence is unequalled and whose experience is unique. It will be the earnest and sincere desire of all that the convention should end in success, but if unfortunately we fail in this task such an opportunity may not occur again in the lifetime of the passing generation. That will add to the complications and in no way make it easier or simpler for our sons and grandsons to succeed.

A politician is pre-occupied with enhancing and maintaining his popularity but a statesman's concern is the good of the nation and humanity. Politicians cater for the emotions and sentiments of the ignorant; statesmen appeal to better sense and offer advice which is not infrequently unpalatable. To-day Jammu and Kashmir State needs more statesmen than politicians and I hope this convention will not fail her in this respect.

BASIS FOR A DIALOGUE ON KASHMIR

BALRAJ PURI

Introductory

The Paper I read at the J & K State People's Convention (October 10 to 17, 1968) at Srinagar is reproduced in the following pages. It was the only paper contributed by a delegate from Jammu out of a total of over fifty written papers read at the Convention. But for that reason it did not receive any less consideration from about 300 delegates, mostly drawn from the Valley. I am in fact gratified by their response which encouraged me to hope that my paper might serve as a basis for a prolonged and more fruitful dialogue on the problems of Kashmir.

The paper indeed is more concerned with describing pre-requisites of a discussion and suggesting a basis thereof rather than commending my own conclusions which, too, I have tried to state unambiguously and categorically. It was, therefore, possible for many, in sharp disagreement with my conclusions, to share and appreciate my basic approach the spirit of which was partly accommodated in the political resolution adopted by the Convention.

To extend the debate to a wider circle, the paper is being reproduced here. The speech I made at the concluding session of the Convention, in support of its main resolution, is also added.

Basis for a Dialogue

I had some initial reluctance in participating in this Convention and accepting the membership of its Steering Committee. Having spent the fifth day in the deliberations of the Convention, I and my colleagues from Jammu feel very happy

that we were able to come. We have profited by listening to and meeting the delegates from all parts of the Valley. I am also impressed, Mr. Chairman, by your earnestness to maintain an atmosphere of free discussion.

However, I am sure, nobody would be more aware than you are of some of the shortcomings of this Convention. It would be worthwhile devoting a minute to them in the interest of achieving greater success for it.

Representation of Ladakh, fuller representation of Jammu, of communities like Harijans and Gujjars would certainly have enhanced the value and prestige of the Convention.

While I and my colleagues do claim to represent the aspirations and interests—though not always the sentiments—of Jammu better than any other party of the region, it is no gain saying the fact that quantitative representation of the region is not adequate.

Many reasons are responsible for it. There is not enough appreciation of the aspirations of the region other than to which one belongs. But if barriers of Pir Panchal and Zojila have been conquered, there is no reason why the walls of ignorance, misunderstanding and prejudices—which history and politics have erected along these mountain ranges—cannot be similarly demolished.

Inter-regional Dialogue

I propose for the consideration of the Convention that the leaders of Kashmir, in particular the tallest of them, Sheikh Abdullah, take an initiative in starting a dialogue with representatives of Jammu and Ladakh on the specific question of inter-regional relations before starting a dialogue with Delhi or insisting on a Delhi-Pindi dialogue.

I am not here merely to represent Jammu's case, not only because the Convention's main subject is different, but also because I have been no less identified with the Kashmiri aspirations from pre-Quit Kashmir times and have never hesitated in attacking any chauvinistic trend in the politics of my own region.

I would touch Jammu problem in this Paper only to the

extent it is relevant to the issue of accession. I, however, urge you to show greater sympathy and appreciation of the aspirations of the region which are far from communal.

I am, in this Paper, mainly concerned with some basic considerations regarding the issue of accession. I have usually been more concerned with these considerations than accession as such. For some values are really more important. But I have not hesitated in this Paper to take categorical positions on the issue so that others are also provoked to be more specific. I hope even those who might not agree with my conclusions will go a longer way in agreeing with me on the basic approach which to me is more fundamental.

I measure the achievement of this Convention primarily not by agreements which we might arrive at, but by the extent to which it can undermine the cult of political untouchability and intolerance. Before suggesting specific solutions and prerequisites of such solutions, I, therefore, start with taking note of impediments to a frank and meaningful dialogue between diverse and opposite viewpoints.

Semantic Confusion

Foremost among such impediments is perhaps semantic. Terms have come to acquire different connotations for different people, in particular within Kashmir and in the rest of the country. Words like self-determination, plebiscite, and accession evoke reflex rather than intelligent reactions. Much heat is likewise generated on whether or not there is a Kashmir problem.

Those who deny the existence of the problem perhaps merely mean to rule out de-accession of the State. Otherwise would even they honestly deny that a large mass of people are not satisfied with the present status of the State and of their respective regions within the State? Pakistan's refusal to reconcile to the status quo in Kashmir is another undeniable fact. A similar agreement is possible on the existence of other aspects of the problem or other problems of Kashmir. Whether or not you care to call them problems or aspects of the problem, the fact of the situation can be agreed upon more readily, if properly described.

Again, the usual controversy over the right of self-determination often misses its particular background and significance in Kashmir politics. In his first press conference after his release in January 1968, Sheikh Mohd. Abdullah said, in reply to a question, if people in other states of India had the right to overthrow the Congress governments, why Kashmir's right of self-determination was objected to. Mr. Jayaprakash Narayan referred to a broader implication in the right of self-determination, in his inaugural speech at the Srinagar Convention, namely, "The inherent right of every people to determine their way of life and the form and character of their institutions". Many delegates at the convention maintained that the right was not only inherent but also perpetual.

There is nothing controversial in such definitions. The controversy in reality is over a right which is not perpetual and which is concerned with the determination of the international status of the State by its people. Even in this sense, the controversy is not whether Kashmiris have this right, but whether it had been properly exercised in 1947.

Further, even those who maintain that the right was not then properly exercised or should be allowed to be exercised again, would not equate it with secession or accession to Pakistan. In any case, this principle as such need not be a dividing line between those who are for accession of the State to one or the other country. For supporters and opponents of the right of self-determination interchanged their positions as Kashmiri leaders shifted their stand on the issue of accession. In fact, it is possible to argue that logic of accepting the right of self-determination rules out a solution of Kashmir problem outside the framework of India. For the right which was exercised by the people in 1947 without any pressure was irreversible. If it is reversible, its future reversibility should be guaranteed by Pakistan—for Kashmir in particular and its own parts in general—before making any claim on the State.

Another usual source of confusion is the interchangeable use of accession and integration and controversy over the degree of the former. Abrogation of Article 370 of the Indian Constitution is often demanded to complete the accession. The same constitutional provision is also cited to prove its provisional character.

The crisis of August 1953, in fact, owes its genesis to the controversy between what was called full and limited accession.

In reality accession like marriage has no degrees. It is either accession or de-accession and should not be confused with the question of integration or that of the centre-state relations. While patriotism of a secessionist can be challenged, it cannot be measured by the number of subjects that people of a state are willing to cede to the centre. For those who gave India a federal constitution were no less patriots than the advocates of a unitary set up. Indeed patriotism of a person cannot be questioned for suggesting any pattern of relations of the states, in general, and of his state, in particular, with the centre. Demand for abrogation or retention of Article 370 may thus be made on any other ground but it has no relevance to the issue of accession.

More instances can be cited to demonstrate how language can become a barrier to communication of ideas rather than their vehicle. A fuller work on what may be called a dictionary of Kashmir politics, to remove a semantic confusion, would certainly contribute to smooth and meaningful dialogue on political issues facing the State. But the work cannot obviously be exhausted here. Nor is it contended that semantics exhaust the entire problem.

In addition, an earnest effort is indeed needed for mutual appreciation of genuine aspirations and limitations of the people concerned with the problem of Kashmir. I do believe that the rest of India, in its own interest, can and should go a much longer way in accommodating Kashmiri aspirations. And Kashmir's own cause would be better served if its leaders make a little extra effort to understand and accommodate aspirations of Jammu. Likewise, Jammu should aspire to be a window for a sympathetic view of the Kashmiri mind by the rest of the country. Lastly, interests of India and Pakistan, too, are not mutually entirely exclusive.

The accession controversy does prevent reconciliation of diverse aspirations and interests. But this is not the only stumbling block. Moreover, while the settlement of the controversy would certainly reduce tensions, removal of other causes of tensions would also help in resolving the main issue.

One of the best ways to deal with the accession issue is to cut it to size. To consider this issue as the be all and end all, of all human efforts in the State is a distorted view of reality.

Freedom and Accession

From a philosophical angle, the issue does not deserve paramount supremacy in the thinking minds. Geographical attachment with this or that land should not take precedence over more basic and universal values. From a practical angle, values like freedom, secularism and social justice have an essential bearing on issues like accession.

"Freedom before accession" was the slogan that Sheikh Abdullah rightly raised in 1947 and it was not without reason that the National Conference had prepared its socio-economic blueprint, entitled *New Kashmir*, long before it expected to come to power.

Without mental and political freedom, decisions on any issue can neither be realistic nor healthy. First priority of the leaders of Kashmir should, therefore, be to preserve and enlarge the present amount of freedom that the people of the State have undoubtedly achieved after a long and bitter struggle. Next step should be to aspire for a popular and representative Government in the State.

I would not be here discussing impediments to fair elections but am suggesting an approach which gives precedence to the objectives of democratisation, from philosophical and practical standpoint, over that of solution of the issue of accession as such. I am also convinced that popular participation in elections is a far better way of ensuring fairness and exposing malpractices than any amount of legal safeguards.

I am not denying that a settlement on the accession issue, satisfactory to all parties, would help the process of democratisation. But the reverse is no less true. I am pleading the reverse course because :

- (a) It is more practical ;
- (b) All the problems of the people need not indefinitely wait till the accession issue is settled to their satisfaction ;

- (c) The values of freedom and democracy transcend accession. If means are no less important than the ends, articulation of popular will through democratic and constitutional process should be more desirable and effective—for the achievement of the ultimate objective—than, say, mass demonstrations which more often than not lead to mobocracy rather than democracy.

During freedom movement, intense constructive and intellectual activity had contributed to the mental freedom of the people before they were able to get political rights. Some of the best values of the national freedom movement flowered in Kashmir. Coupled with a heritage of catholicity and tolerance, these values provided the requisite mental equipment to the political leadership of Kashmir to face various socio-economic and political issues.

The ideological commitments of Kashmir's political movement have survived the stresses and strains of the last 20 years ; even after its emotional break with the politics of the rest of the country. The only professedly pro-Pakistan party of Kashmir, the Political Conference, too, unreservedly adheres to the principles of Gandhism and secularism. Yet it must be conceded that the process of ideological replenishment in Kashmir has been somewhat halted. In all humility may I submit that slogans of self-determination and plebiscite are no substitute for a political philosophy which alone can impart direction and meaning to popular mobilisation.

Can best minds of Kashmir not produce a new version of *New Kashmir* relevant to late 60s ? Can the relevance of Gandhi to Kashmir of today be re-assessed and brought home to its people ? Is it mere coincidence that the land which once aspired to be a model of Gandhian ideals is unable today to celebrate the centenary of the Master at a popular level when almost the whole of the world is doing it ?

The ideological tools with which freedom movement was fought need only be made sharper. For the present situation it is more challenging.

I repeat that if the accession issue is solved to the satisfaction of the people, their intellectual training would be easier.

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But intellectually better trained people would be better equipped to solve the problem. The first course presumes that others—India or Pakistan—should change their mind towards the issue while the second implies that the initiative be resumed by the people of the State. If the initiative is to be wrested, the people must not only be intellectually better equipped and mentally and politically freer but also achieve a minimum harmony of interests reconciling their internal diversities.

How to Constitute a people ?

It is not merely mathematical majority of 51 to 49—of even with a larger margin—that reflects the democratic will of a people. It is the consensus of harmony, accommodating interests of the smallest number that should matter in a democratic decision.

It is unrealistic and dangerous over-simplification to recognise religious communities as the only basis of diverse interest groups. Other interests based on, say, region, culture, class, occupation, etc. cut across communal basis. There are neglected groups within each religious community whose most natural interest might coincide with a similarly neglected group in another community.

Muslims of Jammu who constitute 1/4th of the total Muslim population of the State hardly get 1/10th of the Muslim quota of jobs, are politically inconsequential and economically extremely backward. Gujjars, another numerous Muslim community, is still worse off in its position in the administration, politics and social life of the State. Likewise, backward communities of Hindus are denied equitable opportunities in various aspects of life.

As long as this State does not acquire a composite personality embodying the common aspirations of its regions and communities, it would be illogical and unreal to discuss and attempt to decide the question of its overall status. A split personality cannot struggle to acquire a satisfactory status. And a status thrust on it would be uneasy and unstable.

Many of the complications in the politics of the State including the crisis of 1953 can be attributed to tensions between its

three regions. The motivating force behind the recurrent demands of Jammu for what is called full integration, the President's rule or merger of the State with Himachal is to get rid of the so-called Kashmiri domination. Likewise, scared by threats to its distinctive entity implied in these demands, many people in the Valley tend to seek emotional and political support across the border. It is the mutual fear and suspicion that drives the people in the Valley, on the one hand, and those in Jammu and Ladakh, on the other, to opposite directions. The reactions of the people, under such mutual provocations, are neither normal nor reflect their real interests and aspirations.

A free decision of the people also implies their freedom from momentary tensions and provocations. In the present internal set up of the State ; there is a built in provision for such tensions and provocations which must be corrected to set our own house in order before negotiating with others.

Why federal set up ?

A composite personality of any multi-regional or multi-cultural state can only be based on a federal set up. Unitary form of constitution, that parties like Jana Sangh are preaching in India, has everywhere posed one of the greatest threats to the unity of any multi-cultural state or nation under democracy.

While the Constitution of the State was being drawn, federal proposals were mooted. Announcing a scheme of regional autonomy from Radio Kashmir on April 17, 1953, Sheikh Abdullah had declared as Prime Minister of the State, that it would remove fear of domination of one unit by the other and pave the way for voluntary unity and consolidation of the people of the State.

The idea of regional autonomy merely aims at decentralisation of political powers on the basis of its equitable distribution among the three regions of the State. After regional level it should, indeed, further percolate down through districts and tehsils to villages.

Recognition of regional personality provides a common sense of belonging and integrating force to people of all communities within the region. Failure to do so, on the other hand, is the

easiest way to communalise the politics of the State. For the people are then forced to seek a sense of belonging on the basis of religious community.

It is the distinct historical, cultural and geographical personality of the Valley that has helped in evolving its composite character and cement together all its communities. A sense of common Kashmiri pride has been the greatest bulwark against forces like communalism. Likewise, constitutional recognition of regional personality of Jammu would help in integrating its various communities. In particular, the most numerous communities of Jammu like Gujjars, Harijans and other backward communities would get their real due and be able to secularise the politics of the region.

Apart from considerations of political de-centralisation, de-communalisation of politics and cultural growth, regional authority would considerably help in improving administrative efficiency. During winter, for instance, the people of Kashmir have to go, for petty problems, all the way to Jammu, which often gets inaccessible. If subjects of local importance are delegated to regional representatives, administrative needs of the people would obviously be better attended to.

I am aware that due to spate of much misinformed and interested hostile propaganda by vested interests, like Congress and Jana Sangh, some misunderstanding and confusion have certainly been created about the objectives of regional autonomy in quarters from where sympathy and support was expected for it. I will not answer here all the criticisms that is made against the regional autonomy movement. I will make necessary clarification when the issue is fully debated.

I am here discussing the problem primarily in the context of the accession issue. For before demanding the right of people to decide the issue we must create "the people"—as an organic, composite and harmonious community. This exercise is necessary if we rule out the division of the State which in the present circumstances can most probably be on communal lines. A communal division would not only be disastrous for the whole country but would also rob the State of any leading role in the affairs of India or the sub-continent.

I am not evading a direct discussion and a clear commitment

on the issue of accession. In fact, all the foregoing arguments are converging on the issue. I am spelling out basic and necessary considerations for a meaningful discussion on the main problem and essential pre-requisites of its solution.

Many Kashmiri leaders who ignore these considerations and pre-requisites are in fact, more evasive in making a definite commitment on the issue of accession. The charge can, indeed, be made against most of them that they do not take the people into confidence. Inferences can certainly be drawn from some of their statements but a meaningful dialogue is hardly possible unless the respective positions are clearly stated. To suggest plebiscite as a solution is to again evade the issue. For it is a mechanism for ratification of a solution and cannot be equivalent to a solution.

To pass on the responsibility of a decision to the people at the time of a possible—or not possible—plebiscite is not only to abdicate responsibility of leadership but also to preclude discussion among the people as also between parties concerned. Every leader, in fact, every thinking citizen owes it to himself to make up his mind about what type of status he wanted for the State.

Right decision and majority decision

Moreover it is one thing to respect the will of the majority but quite another to maintain that majority is always right. Instead of always being led by the people, thinking minds must also consider what is the interest of the people, though at the moment it may not be acceptable to them.

One line of argument in coming to a conclusion on the issue of accession is to take realistic and practical view of the situation. Good friends of Kashmir like Shri Jayaprakash Narain have argued the point quite earnestly and forthrightly. Such a friend's advice cannot be easily ignored.

But I prefer to view the problem from another angle and see how much different are the conclusions that flow from purely moral and logical approach.

At idealistic level, it is often suggested that the solution should satisfy the three parties—India, Pakistan and Kashmir.

But even within the camp that considers Kashmir issue as unsettled, the controversy persists whether the Kashmir dispute is bilateral or trilateral. Persons like Jayaprakash Narain challenge Pakistan's locus standi since the 1965 war. But what was the position before 1965 ?

The dispute arose over the alleged breach of agreements by the parties. The original agreements, it must be noted, were bilateral. One set was between Government of India and the leaders of Kashmir. The other was between India, which included Kashmir, and Pakistan.

The agreement that Kashmiri leaders reached with Indian Government regarding accession, relations with Centre etc. was bilateral which Pakistan never endorsed. Similarly, agreements on cease-fire and conditions of a plebiscite were bilateral between India and Pakistan. Kashmir was not accepted as a third party to the agreements.

Morally and logically, each of the two sets of agreements must be pursued bilaterally. Leaving aside for the moment the controversy between India and Pakistan about non-implementation of plebiscite or its conditions, the breach of agreement between Kashmiri leaders and the Government of India is more relevant for our present discussions.

Pledges of Kashmiri leaders

True, the Government of India cannot escape its share of blame for making unauthorised inroads into the autonomy of the State, by denying the people elementary human rights and imposing on them undemocratic and unrepresentative regimes. But are the leaders of Kashmir willing to honour the commitments and pledges they made, whether unconditionally or subject to the reciprocal honouring of its commitments by the Government of India ? An ideal, moral and logical solution would be for both parties to go back to their respective commitments : so that if Kashmiri leaders get the status they want within India, they would support accession to India whenever the issue is referred to the people in any form. If they are unable to do so, as the situation has changed or in view of the lessons they have meanwhile learnt, surely they cannot blame the Government of India for drawing their own lessons from the changed situation.

The changes in the status of Kashmir after 1953, though valid constitutionally and legally can be challenged by Kashmiri leaders on political and moral grounds. But how can they challenge the moral and political value—as also constitutional sanctity—of the decisions taken by them in 1947 before the arrival of the Indian army and the constitutional relations they themselves evolved with the Centre till August, 1953 ?

As regards Indo-Pak agreements—and their breach—a larger number of factors influence them. Evidently if the bilateral agreement between India and the popular leadership of Kashmir is revived, Indo-Pak understanding would be facilitated.

Whether we take the "realistic" view or moral and political view of the problem, there is no escape from the commitments made by the leaders of Kashmir to link it with the Indian Union.

But there is yet another angle from which the problem can be viewed. Let us presume, for the sake of argument, that the history of the last 21 years and all its constraints can be disregarded. Further presumption is that a government of saints is returned to power in New Delhi which permits the people of Kashmir to determine their affiliations afresh. What should be an ideal choice in such a hypothetical case ? Should it necessarily be different from that of 1947 ? Because Kashmir is different ? Or India ? Or Pakistan ?

Is India more communal, less democratic or less federal than in 1947 ? Has Pakistan become more democratic and less monolithic since then ? And if Kashmir is different, is it for better or worse ?

I, for one, would not agree that Kashmir's political, emotional and intellectual health has improved in the course of the last two decades. I have already detailed measures to regain that health to ensure healthy decisions.

Mood vs. Interest of people

The popular mood of Kashmir Valley has, of course, undergone a change since 1947, whatever be the reasons. But have its interests been also changed ? If decisions have to be taken on the basis of moods, the maps of all the nation States must be redrawn every now and then. The statesmen and intellec-

tuals have not to respond to every change in the popular mood. They must know the real interest of the people and try to influence their mood accordingly.

What is the interest of Kashmir, Jammu and Ladakh, Hindus, Mulims, Sikhs, Buddhists and Christians, peasants, workers and other sections of society? They must be able to live in peace with each other and harmonise their interests with each other. They must enjoy elementary human rights and political freedom, enabling them to manage their own affairs. They must have opportunities of economic prosperity. They must be able to preserve their regional personalities and cultures. And, of course, religious susceptibility of the majority community would also matter in their final decision. If it were possible to have association with India and Pakistan alternately, then alone a perfect study of comparative advantages can be made. Conditions on two sides of the cease-fire line, however, offer another basis of comparison.

All is not well on this side of the cease-fire line. But the comparison must not overlook the fact that while political and economic conditions on this side are profoundly influenced by the formidable secessionist challenge, in "Azad Kashmir" even those who cannot be accused of being Indian agents are struggling for freedom and bread. Potentiality of Indian democracy would only be fully expressed when the popular leadership in the State agrees to work it out.

Let us further concede that moods of the people be also respected. But what really is the popular mood today? If it were simply pro-Pakistan, Sheikh Abdullah's occasional anti-Pakistan outbursts would not receive the popular applause they do. Even if the Muslims of the Valley alone had to decide for the whole State, even in their present mood, perhaps they would like to preserve their distinct entity.

And all said and done, Indian part of Kashmir has preserved its physical, political and emotional personality which no cultural region in Pakistan (at least in its Western wing) has been able to do. Indian polity—particularly after elections in 1967—gives ample room for further assertion of Kashmir's personality provided its leadership chooses to do so after accepting the broad framework.

Sandwiched between two powerful and mutually hostile neighbours, Kashmir can preserve its personality if either it has an equally powerful army to resist pressures—conspiratorial, political, psychological and armed—from both sides or if it carves out a place within one or the other. Even in his present mood, a Kashmiri is realist enough to rule out raising a powerful Kashmiri army.

Anatomy of discontent

The Indian framework is not intrinsically entirely incapable of satisfying the present Kashmiri discontent would be indicated by the fact that this mood has many ingredients.

Administrative excesses or inadequacies, political injustices, economic distress, regional Kashmiri pride, urge for more autonomy, reaction against the policies of the government of India or against certain political trends in the rest of India, Muslim communalism and appeal of Pakistan have all contributed to the present mood of discontent. While the precise percentage contribution of each ingredient cannot be easily determined, channels of discontent are interchangeable. For instance, whenever an effective constitutional opposition was able to function in the Valley, anti-India sentiments were diverted to anti-Government channels and thus remained subsided. In any case, most of these ingredients need not inevitably seek secessionist outlets.

The above model of Kashmir problem was deliberately simplified. It escaped from reality to explore solutions at an ideal and moral plane. Some of the foregoing hypothetical assumptions are certainly not valid. The waters in the Jhelum, Tawi and the Jamuna have not remained still since 1947. The mind of India is not exactly the same as it was before 1965 war. Nor can the non-accession issues and innumerable day-to-day problems of the people of the State indefinitely wait till the accession issue is resolved to the entire satisfaction of all parties.

Realistic framework

As the realities are sterner than logic, they must also be taken into account in concluding the argument of this Paper.

The foremost reality of the situation, so persuasively and forthrightly brought home by Shri Jayaprakash Narain to his Srinagar audience, forbids any solution of Kashmir problem outside Indian framework. As this reality corresponds to conclusions based on moral, idealistic and political reasoning, its acceptance should be regarded as a sign of courageous statesmanship.

The secessionists, who claim to be strong enough to disregard the reality of the situation, are, in fact, overobsessed by some partial and distorted view of it which provokes them to take positions contrary to their own interests and beliefs. For they are neither able to detach themselves from reality to weigh their position at a moral and ideal plane nor to comprehend the true and full view of it. Slogans in public meetings in parts of the Valley are an imperfect measure of the popular will of the whole State which itself is only a part of the total reality.

(October 14, 1968)

The Resolution

The first session of the Jammu and Kashmir State People's Convention

having heard the various papers and speeches delivered by the delegates presenting different viewpoints on the issue of the State's political future, and

reaffirming the principle that a solution of the problem, acceptable to the people of the State, keeping in view the interests of all regions, can alone resolve the dispute and restore normalcy and tranquillity in the sub-continent, including Jammu and Kashmir,

instructs the Steering Committee of the State People's Convention to properly tabulate the presented material for submission to and discussion in the second session of the Convention as early as possible in order to pave the way for finding a peaceful, democratic, just and realistic solution of the issue.

October 17, 1968

Convention : triumph of Indian democracy

The unanimous resolution of the Steering Committee proposed by Maulvi Mohammad Farooq has been explained in detail by Mr. P.N. Bazaz, I would not claim to know where would we go from here and what would be the final outcome of this Convention as well as of the series of conventions that are to follow but I would certainly claim that we have already achieved enough. Isn't it enough of an achievement that for seven days we had patience to hear every opposite view-point. Isn't it significant that Maulvi Farooq and I have come on the same stage to support an important political resolution. We have learnt that no problem is solved by opposing or boycotting our opponents. Tolerance shown in hearing opposite view-points creates a democratic atmosphere which in itself is a big achievement.

The participants in this Convention represented diverse viewpoints. The participation did not imply a compromise on the part of anybody of his position. In fact those who refuse to talk to their opponents betray a lack of confidence in their own convictions.

In Jammu, Jana Sangh had started a campaign against this Convention. They have also attacked my person and have accused me of treachery to the nation. Patriotism is not a monopoly of anybody. At least Jana Sangh is not the party from which I need take any lesson in patriotism.

Vitality of Indian democracy

I do not think it is any service to India to maintain that all is well in the State and everybody was shouting slogans of 'Indiraji ki Jai'. It is neither honesty nor patriotism to declare that all elections were free and fair and people are fully contented. I do not lag behind Jana Sangh or Indira Gandhi in my loyalty to the country. But as a good Indian I may declare that the four elections did not represent the true strength of Indian democracy. This Convention is the best manifestation of the vitality of the Indian democracy. It did not intend to do anything to damage the prestige of India. Nor anybody amongst us is interested in creating an atmosphere of hostility against

Pakistan, for it is no service to the cause of India to create tension with Pakistan.

Some people in Jammu challenge my right to invite the Convention to hold its next session in Jammu. Not only on behalf of the Convention but in my personal capacity, I accept the challenge that the Jana Sangh has given. With full sense of responsibility I can claim that Jammu has the maturity to hear all diverse viewpoints. The convention, if held in Jammu, will find a similar atmosphere as you have witnessed here.

I refuse to believe that Jana Sangh is serving either the interest of India or of Jammu. Those who have created walls of hatred and misunderstanding between Kashmir and the rest of India on the one hand and between Jammu and Kashmir on the other can neither be friends of India nor of Jammu.

Unity of the State

In this Convention we have tried to present before you the sentiments and aspirations of the people of Jammu and have tried to understand aspirations of the people of the Valley. In this way Jammu and Kashmir have been brought closer to each other. It is not only a service to the Valley but also to Jammu. While adopting this resolution we have tried to do justice to all interests and viewpoints, we are not trying to create illusions. We do not have any magic band out of which we will get a solution of the problem. I do not claim either to have found out a solution or to produce a solution very easily or shortly which would be acceptable to everybody. I, however, do claim that we are groping for a solution with an open and sincere mind. The solution that we are seeking would be peaceful, democratic, just and realistic. It has to keep in view the interests of all the regions and be acceptable to them. In this sense, this resolution is the best guarantee of the unity of the State.

While supporting this resolution, I want to assure you not only as a member of the Steering Committee or a Member of this House, but also as a citizen of Jammu that Jammu will not support any solution to the problem which is against the interests of the people of Kashmir and suppresses their genuine aspirations. Likewise, I hope that people of Kashmir would

not want a solution which involves suppression of Jammu and ignores its aspirations.

More representation Conventions

In the end, while I would not minimise the historical importance of this Convention, we should try to remove all its shortcomings. We earnestly hope that the viewpoints, interests, regions or communities which have not been fully represented in this Convention would be adequately represented in the next Convention. I also hope that the parties which boycotted this Convention would reconsider their decision. Though I disagree with the viewpoint of the Jana Sangh and the Congress, I wish they will not hesitate in participating in the next Convention and we will hear them with the same tolerance that we have shown to other viewpoints.

PROPOSAL

GHULAM HASSAN MAKHMOOR

In its meeting held on the Decemb r, 1968, the Steering Committee appointed a sub-committee to prepare a summary of the proposals and suggestions made by the delegates regarding the future of the state. The proposals and suggestions made to the Convention have been summarised as under :

- (a) Settlement through a Plebiscite
- (b) Accession to India
- (c) Accession to Pakistan
- (d) Independence for the State
- (e) Interim arrangements with final settlement after a specified period.
- (f) Some other method of solving the problem.

The fundamental presumption remains that a settlement in any form regarding the future of the State shall be brought about after ascertaining the wishes of the people. It is not perhaps to be presumed that in ascertaining the wishes of the people as such, methods other than those which are universally recognised are intended to be adopted.

The question is also if any suggestions and proposals outside the framework of U.N. resolutions to which both India and Pakistan are committed would not tantamount to the re-opening of the whole question with no apparent result except that the grounds of settlement may have been shifted and brought unnecessarily into a new vortex. The only wise and feasible course may be to limit the issue to a settlement within the U.N. resolutions and emphasize it. The question may not hang on a coweb entangled in vicious circles.

What is the case for the accession of the Jammu and Kashmir State to Pakistan ? The State of Jammu & Kashmir is situated in the extreme north of the Indian sub-continent. The State covers an area of 84,471 square miles. On the north-east it is bordered by Tibet, on the north by Chinese Turkistan (Sinkiang) and on the north-west by the Soviet Republic of Turkistan and by Afghanistan. On its Western border lies Pakistan and to the north it touches Pakistan and Union of India. The census of 1941 recorded that the total population of the State was 4,021,615 of whom 77.11 per cent were Muslims, 20.12 per cent Hindus and 2.77 per cent Sikh and Buddhists. The political dispensation of the State did therefore not raise any controversial issues as of any territorial and political affinity with India. It was the question of a State with a preponderant Muslim majority joining Pakistan and making a very reasonable choice with due regard to geographical contiguity. Given the opportunity a peaceful Kashmir would have chosen the most natural course but for the Maharaja.

It is not within the scope of this paper to re-write a whole chapter of history recount the events from 15th August 1947 when the two Independent States of India and Pakistan came into being to 26th October 1947 when the Maharaja, then a fugitive in Jammu, signed the instrument of accession with India without any mandate from the people. It is, however, relevant to point out that while political changes of a far-reaching character were taking place, the Maharaja could not make up his mind till the Zero hour had come. The leaders of the people were in detention when the most crucial talks were going on regarding the transfer of power and the future set-up of the states which remained an intriguing factor on the emerging political scene. The Maharaja never cared to take the accredited representatives of the people into his confidence to avert trouble for the State. The uprising in Poonch, mainly led by Ex-Army men, had by then reached its climax and assumed new proportions with irregulars from across the border joining the insurgents or making a common cause with them. To precipitate matters Pakistan gave its blessings to the infiltrators if it did nothing else. This became the single major

factor in India sending its first contingent of troops by air to Kashmir on 27th October 1947 and ever to remain thereafter; Pakistan should not only have sought but taken all possible measures in maintaining peaceful conditions in the State as by virtue of its stand-still agreement with the Maharaja to the exclusion of India, it was already half-way in.

India's case in Kashmir stands on the provisional agreement which was signed by the Maharaja at Jammu on 26th October 1947. This provisional agreement between India and the Maharaja was subject to the condition that the future of the State will be decided by means of a plebiscite or a referendum. There is no subsequent agreement.

In 1951 a Constituent Assembly was convened to frame a Constitution for the State. India has laboriously tried to build up its case by deposing that this Constituent Assembly in February 1954 ratified the accession of the State to India and in November 1956 it adopted a Constitution legalising the status of Jammu and Kashmir as a unit of Indian Union. It is well-known that India had made it known that the Constituent Assembly of the state could not unilaterally take a decision on the question of State's accession. It was not poll being taken as such on the future of the State under an impartial auspices. The question was that of the people of the Jammu and Kashmir State exercising their right of self-determination. This implied a referendum in its usual sense. A referendum means a direct reference to the people on a specific issue. The elections for the convening for a Constituent Assembly would not be taken as a referendum on the future of the State. No doubt the Constituent Assembly to frame a constitution for the State had to assure for the time being a certain relationship with the Indian Union and in ratifying the State's accession to India, be that as it may, it was not taking away the very right of the people to determine their future under normal condition.

India says too many things. It says much water has flown down the bridges. A plebiscite in the State is no more feasible and is to be ruled out. Does this mean that together with it the right of the people to determine their future is also to be ruled out? It is not the feasibility but otherwise the desirability of a plebiscite that is apparently in question. No

difficulties need be envisaged in the holding of a plebiscite in a State where according to India three General Elections have taken place. Besides Sir Owen Dixon in his report to the Security Council has suggested a much simplified procedure as the holding of a plebiscite will not be necessary in the areas where the will of the people is undisputed and is already known.

A plebiscite in the State is the easiest, the simplest and in fact the only democratic method of ascertaining the wishes of the people. It is the only method honourable to India, Pakistan and the people of the State. Those who favour methods short of a plebiscite seem consider that two Kashmirs over a cease-fire-line have come to stay. They seem to forget that if such a situation persists Kashmir may become a prototype of two Koreas or two Vietnams posing a serious threat to world peace in an equally sensitive region. This means that anything else makes a settlement all the more necessary so that the present situation does not sustain with far-reaching consequences to the peace in the region.

India insisted on Pakistan vacating its aggression as a pre-requisite to plebiscite. This implied removal of Pakistan far as from that part of the State territory which is on its side of the cease-fire-line. In fact taking out of armies by India and Pakistan as a pre-requisite to Plebiscite could be effected through a bilateral agreement under U.N. auspices. The U.N. Administration for plebiscite never assumed office.

India says that after 1965 conflict Pakistan has ceased to be a party to the dispute and what remains of the problem now is that Pakistan should hand over the part of State territory under its occupation. For no acts of omission and commission on the part of Pakistan or India would the people of the State lose their inalienable right. Churchill once said that he had not become the first Minister to preside over the dissolution of the British Empire. Was he then telling the colonies that since the interests of the Empire were involved so the question of their independence did not arise. History did not support him.

Yet one thing was quiet clear that a war had been fought over Kashmir between India and Pakistan in 1965. The whole question boils down to this. Is peace in the State assured at

any time with India and Pakistan poised against each other in Kashmir something more than Kashmir is involved. Any two neighbours always fight at the sore point. Are not these the unfortunate victims.

We say that we decide and India and Pakistan accept the verdict. We are told that taking of a plebiscite in 1970 is asking for the moon—that we should assess and appraise and see to the realities of the situation. Often the thinking is that only a war or an international flare-up or an emergency threatening both India and Pakistan and involving their joint security may bring about some sort of arrangement whereby India and Pakistan may learn to live together in Kashmir. The limits of despondency would not be reached more than in this. Yet the history takes its toll.

While a settlement on the basis of U.N. resolutions will be in accord with the problem as internationally understood, this Convention has taken upon itself the task of examining any alternate suggestions and proposals. To that end I suggest.

There is always a case for an independent Kashmir. It appears evident that Kashmir has been a regular Kingdom from a period that transcends history. In the living memory under Sultans, the Kingdom of Kashmir comprised : (1) the valley of Kashmir which was the heart and centre of the whole Kingdom, (2) the regions of the outer-hills which extended from the Ravi in the east to the Jhelum in the west and comprises Jammu, Rajouri and Poonch, (3) Bhadarwah, the valley of Chenab and Kishtwar which lay between the outer-hills and high ranges around the Valley of Kashmir, (4) Ladakh and Baltistan and (5) the Kishenganga Valley and Pakhli region which lay between the upper courses of the Jhelum and Indus. The Kashmir currency under the Sultans consisted of dinar, bahagami, punchha, hath, sasun, lakh and crore.

Our is very old country, possessing a distinct nationality, character, language, dress and a body of customs, beliefs and practices, we have no counterparts in India or Pakistan. History supports me if I say that we Kashmiris want to be left alone. We are bewildered when the rule and power filters into many channels.

It is to be remembered that Kashmiris have conserved their

own national character and have always refused the impress of any foreign rule. But for that would have been blotted out as a distinct nationality by their strong superiors—The Moghuls, Pathans, Sikhs and Dogras. It is no exaggeration to say that Kashmiris inspite of many experiments remained very much what they were in times before the Moghul conquest linked them with India. A Kashmiri is a difficult subject for experiments. Any fluctuating assessments of his destiny is always dangerous, purchased securely amongst the Himalayas and well guarded from the outer world by rocky barriers, his loyalties have been preserved in his soil. He is the child of his environments.

Nature has given Kashmir all what it has to lavish of its bounties—a prodigal wealth of forests and in its mountains, hilly country, plains, passes and lagoons a highly potential flora in condiments, drugs, dyes and tans, fibres, fodders, foods, fruits, hair-washes, medicines, scents, soaps and all that was needed for to live without having, to look to the plains downwards. Under a rich fertile soil, he preserves a valuable treasure of minerals and clays.

A Kashmiri possess an individuality and national character which clings to him wherever he goes. He may have settled anywhere, his dress and manners may have changed but he has retained, unmistakable signs of a Kashmiri origin even on a foreign soil. He is a bird who is content on his own branch.

Kashmir has withstood the onslaughts of history. The arms of an invader had to stretch too far to reach it. In the eighth century Kashmir was attacked by the Arabs of Sindh during the reign of caliph Hisham. They were repulsed. When Mohmud of Gazni attacked in 1027, he was resisted. In the thirteenth century when the Mongols over ran parts of Asia Europe, Kashmir had to face a series of invasions. The Mongols had come and the Mongols had gone. Yet another invasion came from North-East in 1532. The forces of resistance in a Kashmiri never laxed.

When everything else fails the patriotism of a Kashmiri remains. Even under that grim shadows of moral chaos and political confusion he has not shed this one aspect of his

character. Moghuls, the great emperors of India struggled to annex Kashmir from 1528 to 1588. They entered. They stayed. They withdrew. The greatest of Moghul Emperors hoisted his flag on Kashmir in June, 1588 but only when the resistant Chak had shed his last drop of blood. He fought the invader for 50 years. He fought him to finish. Yet the patriotism of Kashmiris was preserved in the brutal tyranny of the usurper and his successors the Pathan and the Sikh.

It is a matter of surprise that under rapid transition of governments, varying in race, religion and language the Kashmiris should have retained their peculiar nationality unimpaired. If therefore, it is to be his fate to choose between India and Pakistan, he will require a most careful watching. He will be in revolt.

An Independent Kashmir implies a national State in which the three geographical regions—Kashmir, Jammu and Ladakh—become the equal partners in the apex of political order. Their racial and cultural heritage is preserved in such a State. Their distinctive character has been recognised throughout. The evidence of their continuity is overwhelming. We are therefore, looking for an Independent State of Jammu and Kashmir which in its constitutive principles, basic conceptions, aims and ends would be secular democratic state guaranteeing a regional autonomy for the three regions so as to develop their own heritage of art and literature, culture and philosophy but at the same time affording a common socio-economic base and a political relationship conducive to internal coherence and stability.

It is said that from considerations of defence and internal security, India and Pakistan remain exposed to grave dangers with an independent Kashmir. It is not an independent Kashmir that can be a danger. Is not in that sense of the word, India is as much a danger to Pakistan as Pakistan is to India? India and Pakistan could agree to a joint defence of the State. Some such mutual arrangement in Kashmir is likely to pave way for a better understanding of an overall Indo-Pak joint system of security. An Independent Kashmir can serve as a bridge between the two. It can be their meeting ground against a common aggressor.

Twenty-five years is a long periods of uncertainty and of stresses a strains to have corrupted the morals of Kashmiris and destroyed their idealism. The native virtues of frugality simplicity and devotion to duty have slowly undermined. The joy of fighting for a greater cause has given place to egotism and self-aggrandisement. We are in bewilderment.

Leave us alone.

PROPOSAL

M.A. SHAHMIRI

I am sorry I could not send my paper in time to the Secretary of the Steering Committee. The reason mainly was that I got the invitation very late. I was outside the State for a long time and returned to Srinagar after Haj only towards the end of April this year. Even then I could not find time to look into the matter owing to my pressing domestic engagements.

2. I have taken into consideration the large number of papers that have been read before this Convention. I have also studied the different documents that have been so kindly supplied to me by the Secretary. After deep deliberation I find that there is very little that I can usefully add to the paper that I read before the Convention in October, 1968. In this paper "Kashmir Problem and How it is to be solved", I suggested a long term and a short term solution. In the long term solution I requested Mr. Jayaprakash Narayan, who was present in the Convention when I read the paper, to revive the Indo-Pakistan Conciliation Group and offered my services to him. I told him that it was high time that this should be done as with the passage of time the old ties that existed between the peoples of India and Pakistan should become weaker and weaker. I still stick this opinion. I am afraid I did not receive any encouragement from Mr. Jayaprakash Narayan. But I feel that the leadership here, especially the Chairman, who is a strong champion of Indo-Pakistan amity, should take active steps to revive the Group which had done very useful work in the beginning. If constant and persistent efforts are made in this direction, I do not see any reason why this idea should not find favour with those who believe that ultimately India and Pakistan must come together. I need not reiterate all that I have said previously in this

context. It would be better if the delegates would be good enough to go through my paper once again. I still believe that the peoples of the two countries are really one in many respects, and if certain misunderstandings had not cropped up and the Congress leadership had not blundered, the partition might not have taken place. But now that the partition is an accomplished fact it cannot be undone. All that we can do is to try to mitigate the hardships caused to the peoples of the two countries by partition and see that these two countries come to an understanding between themselves. In this lies not only our salvation but that of the sub-continent.

3. We cannot force any solution on India or Pakistan. Till these two countries see the wisdom of coming together and resolve their differences, we have to carry on the campaign of promoting amity and goodwill between them. I visualise that in the end the Kashmir dispute will have to be settled at a Round Table conference in which the Governments of India and Pakistan would sit together to end the deadlock and in which the leaders of this State would be asked to participate, because after all it is the destiny of the people of this State which will be determined at that Conference. In the meanwhile, while we should continue vigorously our campaign for promoting the goodwill between the two countries, we cannot sit tight and do nothing here. Till our campaign is crowned with success, we should do something in our State as well. It was with this object in view that I suggested a short term plan which may be a means of our achieving an amicable settlement of the Kashmir dispute between the two countries and to some extent satisfy the aspirations of the people of the State. I proposed what some people call "Phased settlement of the problem" vis-a-vis the people of Kashmir and the Govt. of India. In this step by step settlement, it was suggested by me that all the parties in the State which are committed to the exercise of the right of self-determination should combine together and without prejudice to their demand fight elections in the State and instead of futile agitation outside should enter the Legislature and try to achieve their objective from within. I said that if they could obtain absolute majority in the Assembly they could form the government and then negotiate with the Govt. of India on more or

less equal terms. In this context I cited the plan of action of the Swarajya Party founded by the late Pt. Motilal Nehru and the late Mr. C.R. Das and suggested with suitable adjustments it might be followed here. I also suggested that side by side these parties should negotiate with the Govt. of India and secure from them a guarantee to scrupulously respect the autonomous character of the State as it was determined at the time of the Delhi Agreement of 1952. I also suggested the consequential measures that will have to be taken to achieve this objective and to ensure fair and impartial elections. I again draw your attention to pages 12 and 13 of my printed paper. While suggesting the short term plan, I did not put on the shelf the basic problem as indicated at the end of my paper. I said, "Needless to say that the goal of bringing about the Indo-Pak accord and thereby the final settlement of the problem of Jammu and Kashmir should never be lost sight of because without it no permanent solution of this problem is feasible". I also said that the steps necessary to be taken to achieve the final settlement will have to be kept under constant review. Despite the fact that almost two years have passed since I read the paper, I feel that no other solution of the problem is feasible at this stage. I agree with some of the delegates who have taken the view that the future constitution of the State cannot be framed until the preliminary steps for this purpose are taken and the consent of the Govts. of India and Pakistan is obtained. I also admit that there are many hurdles to be crossed before this can be done. But at the same time I agree with you, Mr. Chairman, that the different regions of the State are to be induced to join in this movement, their fears will have to be allayed, and in this connection the broad outlines of the future constitution which have been proposed by the Steering Committee for the consideration of this Convention may inspire their confidence.

4. Here, with your permission Mr. Chairman, I would like to say a few words with regard to the unfortunate controversy to the word 'Secular' occurring in the Resolution of the Steering Committee dated Dec. 21, 1969. To be frank, I find no objection whatsoever to the word 'Secular'. All that it means in this context is non-communal, and it should be the effort of all the

well-wishers of India and Pakistan to strengthen non-communal forces with a view to eradicate the communal strife involving loot, arson and the slaughter of the innocent people. But in view of the objections which a large number of my fellow delegates have raised and also because of the fact that the word somehow or the other has come to acquire an unpleasant connotation in the minds of certain people, I think it would be better if the guidelines as contained in the Resolution passed by this Convention itself on 17th Oct., 1968, about remain unaltered. After all the Convention itself had laid down the guidelines. Technically it may not be correct for the Steering Committee, which is certainly subordinate to the Convention, to alter the text. If this aspect is taken into consideration and approved, it would not be necessary to go into the details of this controversy and the deleterious effects thus produced may be nipped in the bud.

PROPOSAL

GH. RASOOL MIR

I have gone through the resolution adopted by the Steering Committee of the J & K State People's Convention in its meeting on 20th and 21st December, 1969, in which the Committee has outlined three documents : A, B & C.

In document 'B' the Committee has given in nutshell different solutions of the Kashmir Problem which have been proposed by the Delegates in the 1st Session of the Convention, which are :

- (a) Settlement through a Plebiscite
- (b) Accession to India
- (c) Accession to Pakistan
- (d) Independence for the State
- (e) Interim arrangements with final solution after a specific period.
- (f) Some other methods of solving the Problem.

My viewpoint :

First is the best

In the light of the documents adopted by the Steering Committee, the Honourable, Equitable and Realistic solution of the issue in my opinion is that the problem must be settled by a free and fair Plebiscite and the people of the State of Jammu and Kashmir be given their birth right, the right of self-determination to decide their future, in accordance with the resolutions passed by the United Nations. For reference I quote :

- (i) "The Government of India and the Government of

Pakistan re-affirm their wishes that the future status of Jammu and Kashmir shall be determined in accordance with the wishes of the people".

(U.N. Security Council Resolution of 13th Aug. 1948)

- (ii) "The question of accession of the State of Jammu and Kashmir to India or Pakistan will be decided through democratic method of free and impartial Plebiscite."
(U.N. Security Council Resolution of 5th Jan. 1949)

In view of the above facts, I would also like to suggest the stress must be made on India that she must fulfil pledges and commitments made in this behalf by the Indian leaders and the Government of India on International level.

For reference of this fact I may again quote :

- (i) "Our assurance that we shall draw out troops from Kashmir as soon as peace and order are restored and leave the decision about the future of the State to the people of the State ; is not merely a pledge to your Government but also to the people of Kashmir and the world."

(Extract of a letter dated 31st of Oct. 1947 from Pt. Nehru to Mr. Liaqat Ali Khan, white paper on Kashmir issued by the Government of India, 1948).

- (ii) "He (Gandhiji) held that without going into the intricacies of law, which he had no right to dilate upon, the common sense dictated that the will of Kashmiris should decide the fate of Kashmir and Jammu. The sooner it was done the better."

(Mahatma Gandhi's observation dated 14th August, 1947, Vol. IX, p. 78 by D.G. Tendulkar)

- (iii) "In Kashmir as in other similar cases the view of the Government of India has been that in the matter of disputed accession, the will of the people must prevail.... The question of accession is to be decided finally and in free plebiscite. On this point there is no dispute."
(Govt. of India white paper on Kashmir, 1948, p. 45)

PROPOSAL

GHULAM MOHI-U-DIN MIR

Of the categories of proposals tabulated in document 'B' (i.e. the evaluation report by the sub-committee), I prefer the category supporting the establishment of an independent State of Jammu & Kashmir comprising the territories ruled by His Highness the late Maharaja Hari Singh. The State should have a federal form of government and its constitution envisaging greater amount of autonomy to the federal constituents. The units of the State should have, however, no right to secede from the federation. As for the two parties to the dispute (Kashmiris apart), namely, India and Pakistan, they should agree to Kashmir's independent status and the State should have equally cordial relations with both the Republics. Agreements with regard to matters of common interest should be concluded after formal negotiations between legally and democratically accredited representatives of the three parties.

PROPOSAL

ABDUL WAHID RAINA

I thank you very much for affording me an opportunity the second time to express my view about the Kashmir issue. In fact, I have made my views sufficiently clear in the first Convention which was held in the month of October, 1968. But yet I would like to repeat certain points in order to make my party's stand clear before the Convention.

Before dealing with some of the issues, I should like to remind you that the world of 1970 is far removed in outlook from the world of 1947. During all these years, new factors have come up which have changed the nature of the issues involved in the solution of this problem. Moreover, we cannot ignore the inevitable limitations imposed by circumstances and time. We have to take these limitations into consideration before we go to solve this problem. According to me, the best solution would be to ask for greater internal autonomy for Jammu & Kashmir State. So let us work for it, and I am sure we will get it.

I agree with all those friends who say that Kashmir Government is not representative of the people. There is no doubt about it. And this is the view of my party and also, this is the view of our Chief Minister—Mr. Sadiq. So the best thing is to ask the Prime Minister to convene a Round-Table Conference in which the leaders of various points of view in Jammu & Kashmir can participate. And this would pave the way for dissolution of the present State Legislature, the elections to which were vitiated by a climate of intimidation and the fraudulent rejection of a large number of nomination papers, so that a fair and free election of the nature that the rest of India enjoys may take place in which all political elements can participate. And such an election, as I said last time, would result

in the emergence of a State Government, which would enjoy the confidence of the people and be in a position to negotiate with the Union Government, in regard to the exact position of the State of Jammu & Kashmir in the Indian Union, the measure of Autonomy it should enjoy and its relations with the Centre.

I should like to emphasize that it is high time that a definite and a realistic decision were taken now, and this is the line I would have the audacity to place before this Convention as a way out from the present impasse.

PROPOSAL

SYED MUBARAK SHAH NAQASHBANDI

I have had the benefit of perusing the documents so kindly furnished to us by the Secretary, Steering Committee. I propose to make the following submissions to this plenary session of the Convention.

1. The resolution passed by the Steering Committee on 21-12-1969 has, I am afraid, exceeded the mandate given to it by the resolution passed by the first session of the Jammu & Kashmir State People's Convention which had directed the Steering Committee to "properly tabulate the presented material for submission to and discussion in the Second Session of the Convention as early as possible in order to pave the way for finding a peaceful, democratic, just and realistic and lasting solution of the issue"; and, as its terms would show, it had not authorised the Steering Committee to embark upon the task of drawing up a draft constitution which it has done or for that matter, to broaden the scope of the terms of the resolution passed by the State People's Convention referring to other matters such as are mentioned in the last para of the resolution passed by the Steering Committee.

2. Apart from this aspect of the matter, touching the jurisdiction of the Steering Committee and its subsidiary organ, the sub-committee constituted by it, the draft constitution that has been drawn up would seem to forestall the labours of the future Constituent Assembly of the state which should have unfettered and unhampered discretion to frame a constitution for the state, after the future of the state is settled. Instead, therefore, of this Convention or for that matter, any of its organs getting bogged down in ancillary details, it must bend its energy solely to the task of finding a solution to the problem that confronts the state. Once such a solution has been found,

we can proceed to the task of framing a constitution for the state.

3. Constitution-making is by no means an easy task and cannot be undertaken lightly as it must involve a great deal of preparation, forethought and expertise. A constitution being an organic state document, its drafting can be taken in hand only after there is a broad agreement on the fundamentals thereof. Besides, since we shall have to draw up a constitution for the entire state as it stood before 1948, this task of framing a constitution for the state will have to wait until its entire people are fully represented on a body charged with the task of framing that constitution. The fact that our brothers from across the cease-fire line have not been able to join us in this convention is a serious obstacle in the way of drawing up a constitution which, as I have observed earlier, should be left over until the future of the state is settled.

4. I am, however, aware of the fact that the All Parties Conference in 1928 had appointed a Committee under the chairmanship of Pandit Motilal Nehru to frame a Dominion constitution for India, Dominion status having been recognised then as their goal and objective. The Simon Commission had however started work and as suggested by Sir John Simon its chairman, there were a series of round table conferences held in London to thrash out the matter. The report of the Nehru committee could, therefore, have at best only persuasive value and not any binding force, and had since but adorned the national archives.

5. While, therefore, the draft constitution now prepared by the committee may be placed on record and taken into consideration at the appropriate time, this august body may not at present be put in a position where any constitution that is drafted here and now bears its imprimatur, as nothing should be done to affect the manoeuvrability and the freedom of action of this august body.

6. In order to find out what the solution of our problem should be, I may at once quote Pt. J. Nehru himself :

"We have not a clean slate to write upon. We are limited,

inhibited by our commitments to the UN, by this or by that."

In other words, the Kashmir case has had a long and chequered history and we cannot treat the matter as if nothing had happened in the past and we could start *de novo*. To seek to do this would be to act in an ostrich-like manner and shut our eyes to the realities of the case.

7. Our great leader, Sher-i-Kashmir has in a recent press interview published in the 'Hindustan Times' (April 17, 1970) reaffirmed his view of what the solution of our problem should be. It is said in that interview :

"Sheikh Abdullah and his followers will adopt constitutional means to achieve the objective of self-determination for the people of Kashmir". The Sheikh said, "the claim that accession was final was not acceptable. This was proved by the existence of section 370 in the constitution. He said, if the Kashmiris wanted to undo it there was nothing to prevent them from doing so. He, however, warned that in case the people were not allowed to work in a democratic manner they may adopt other methods."

Our stand, therefore, should be compatible with this stand of our leader. The solution of the problem is therefore, necessarily linked up with the exercise of our inalienable right of self-determination.

8. I have referred to the fact that we have not a clean slate to write upon. The last document which concerns the State of J & K on the International plane is the TASHKENT DECLARATION to which both India and Pakistan have subscribed. It is stated therein :

"They affirmed their obligation under the Charter of the UN not to have recourse to force and to settle their disputes through peaceful means. They considered that in the interest of peace in their region and particularly Indo-Pak sub-continent and the interest of peoples of India and Pakistan were not served by the continuance of tension between the two countries. It was against this background that J & K

was discussed and each of the sides set forth their respective position."

9. That both the parties had sworn and continue to swear by the charter of the UN while referring to the dispute about J&K was a happy augury, considering the auspices under which the declaration had emerged. What were the provisions of the charter of the UN which had a bearing on this matter?

Article 1 of the UN charter lays down the purposes of the UN which inter-alia were to maintain International peace and security and to that end to take effective and collective measures for the prevention and removal of threats to peace etc.; and to bring about by peaceful means and in conformity with the principles of justice and International law adjustments or settlement of International disputes or situations which might lead to a breach of the peace.

To develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace.

Article 2 thereof had among, other things laid down that all members shall settle their International disputes by peaceful means in such a manner that International peace and security and justice are not endangered. It was again laid down therein that nothing contained in the present charter shall authorise the UN to intervene in matters which are essentially within the domestic jurisdiction of a state or shall require the members to submit such matters to settlement under the present charter....

10. Public memory, they say, is proverbially short and we may recall in this connection that it was on 1-1-1948, that India itself invoked the jurisdiction of the UN and in their reference to it vide para 6 thereof clearly mentioned that the Government of India had made it clear that "once the soil of the State had been cleared of the invader and normal conditions restored its people would be free to decide their future by the recognised method of a plebiscite or a referendum which in order to ensure complete impartiality might be held under International auspices".

Sir Gopala Swamy Ayyanger in the first Security Council

meeting held to consider this complaint of India had on behalf of India stated :

"that the question of future status of Kashmir vis-a-vis her neighbours and the world at large a further question namely whether she should withdraw from her accession to India and either accede to Pakistan or remain independent with a right to claim admission as a member of the UN. All this we have recognised to be a matter of unfettered decision by the people of Kashmir after normal life is restored to them."

Sheikh Mohammed Abdullah who was an alternate member of the Indian delegation to the Security Council at that time had stressed the same point in the Security Council by stating :

"That it was not at all disputed that we must have a plebiscite and the accession must be ratified by the people freely and without pressure on this or that side."

On August 7, 1952, Pt. Nehru had stated in Parliament as follows :

"It is an International problem anyhow if it concerns any other nation besides India and it does. It became a further International problem because a large number of other countries took interest and gave advice—so while the accession was complete in law and in fact, the other point which had nothing to do with the law also remains...namely our pledge to the people of Kashmir and if you like to the people of the world—that this matter can be reaffirmed or cancelled or cut out by the people of Kashmir if they so wish—it is inevitable that we should do so, if we bear in mind this past history of four or five years, the assurance that we had given and the fact that Kashmir has become an International issue apart from being a national one, so we have to treat it on a somewhat different footing. So we accept this basic proposition that this question is going to be decided finally by the goodwill and pleasure of the people of Kashmir."

11. It thus became clear that the question of J&K was not a matter of the domestic jurisdiction of India as India had later maintained, but it was an International issue treated as such by India and the world at large and the world community as represented by the UN and even other countries outside the orbit having re-affirmed this position in most unequivocal terms since and India herself having invoked the jurisdiction of UN to settle the matter of J&K on the footing of a plebiscite held under the UN auspices. If, therefore, this is the case we must see what obligations are cast by the charter of the UN on its members, particularly with regard to the resolving of bilateral disputes. The three methods of settlement of International disputes are :

- (1) Conciliation
- (2) Mediation and
- (3) Arbitration.

So far as the State of J&K is concerned there has been a great deal of conciliatory effort and the parties have talked a good deal to each other in an attempt to resolve their differences over the State of J&K. The Swaran Singh-Bhutto talks held in Delhi, Karachi and Rawalpindi may be referred in this connection. There have also been mediatory efforts to solve this matter. Some of the most illustrious persons on the world scene have been associated with these mediatory efforts. There then remains the method of arbitration apart from a reference to the International Court of Justice at the Hague envisaged under Article 36 of the UN Charter. Article 33 of the same Charter lays down that the parties to any dispute the continuance of which is likely to endanger the maintenance of International peace and security shall first of all seek a solution by negotiation, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice.

On November 12, 1949, Pt. Nehru had himself stated at a Press Conference in London :

"India continues to suggest that there should be mediation and this mediation should be under the auspices of the UN partly because we want to increase the prestige of the UN."

On his return to India Pt. Nehru declared at a Press Conference in New Delhi (Nov. 16, 1949) :

"If you rule out mediation then the only two things that remain are either continuation of the deadlock or war...so far as we are concerned and I have said this repeatedly, we want to rule out war. A deadlock of course will continue until there is a settlement. Therefore, mediation is the only way out. When I say mediation it does not necessarily mean the type or kind of mediation that we have had, that is a matter for consideration but I do say that it should be under the auspices of UN. What form it should take can be considered later."

It may be mentioned here that towards the end of the talks between Sardar Swaran Singh and Mr. Bhutto the idea of third party mediation to get negotiations going at a diplomatic level as an alternative to the fruitless ministerial discussions was mooted by the USA and the UK and India had now begun favourably to consider mediation. The TIMES OF INDIA in a despatch from its New Delhi correspondent published in the issue of May 10, 1963, had stated :

"that India sees no harm in having the good offices of a mutually acceptable mediator to facilitate the Indo-Pak negotiations."

In the Lok Sabha on August 13, 1963. Pt. Nehru had revealed "that he was agreeable to have the good offices of any mutually acceptable personality even though we had declined a similar proposal in the past". This had happened immediately before Sheikh Abdullah was released from jail on April 8, 1958.

12. Dr. Norman Palmer, while analysing the question of the Defence of South East Asia discusses the effect of Indo-Pak discord on the Asian Security. He had stated :

"Throughout the years of their independence the main security concern of India and Pakistan has been defence against each other."

13. Dr. Frank Graham in his report to the Security Council recorded as far back as 28th March, 1958, had stated :

"However wide the difference and deep the distrust and however bad the situation in the opposite views of each other's position, no situation is completely and for ever beyond the redemptive power of development of reciprocal faith and the creative inter-change of views and proposals for a peaceful settlement as alternatives to the deepening differences in an age of unprecedented peril and hope. Better than talking at long distances across the sub-continent is on occasion to talk directly to each other in a conference at the highest possible level. The holding of well prepared direct talks with the desire for a settlement is more than talk ; it is itself an act of potentially creative faith which might lead to steps for a fair and peaceful settlement."

In the same strain he had stated :

"In this age any situation engaged by UN sponsored resolutions cannot be isolated from the dynamic currents of the world's concern even by the highest mountains, whose pinnacles rise in incomparable grandeur from the topmost 'roof of the world'. Though bright rays of light shine through the over hanging clouds our time, thermo-nuclear power casts its lengthening shadows across the earth darkening the homes and hopes of men. As alternative to the sudden extinction of the human race and the destruction of the precious treasures of heritage from all peoples, in all ages, there rises above the authentic fears, despair and tumult of the times the unconquerable aspiration of the human spirit for the sublimation of the thermonuclear power in the cause of peace and equal freedom, dignity and opportunity of all people, of East and West."

These words recorded 12 years ago bear a prophetic ring and are more relevant today than before as they highlight the dangers inherent in a situation where the deadlock over the fate of Kashmir continues.

14. The above resume of the case has been given to stress the point how imperative it is to seek a peaceful settlement of this issue of J & K ; and the question what form such a settlement may take is of the highest importance. Contemporary history affords, a nearest parallel and if I may say so, a fair guidance to us in seeking a solution to our problem. I have in mind the *modus vivendi* reached recently by Britain and Iran over the future of Bahrein and a mutual agreement arrived at by them to refer the matter to U Thant the UN Secretary General, in his personal capacity to appoint a personal envoy to determine whether the people of Bahrein would accept the Iranian claim of sovereignty or wanted independence and their further commitment that the verdict so arrived at would be acceptable to both Iran and Bahrein as a free expression of the will of the people. Bahrein had since, it may be noted, opted for independence and this decision had been confirmed by the U.N. This reference to U Thant personally had meant the avoidance of an initial reference to the Security Council with all the big power rivalries and procedural wrangles that might have been involved in the settlement of the dispute. Is it too much to ask that we may adopt the same procedure and invoke the good offices of U Thant personally to help in finding a solution to our problem by bringing India, Pakistan and people of Kashmir as represented by their accredited leaders together round a table where a solution which while conceding the substance of the right of self-determination to the people of J & K is also honourable and equitable to India and Pakistan ? Is such a solution beyond the wit and ken of man to fathom ? U Thant is a great Asian himself and his integrity, honesty of purpose and impartiality are beyond question. India's aversion to mediation and arbitration has diminished over the years as I have explained above. India herself had favoured lately the idea of getting all the interested countries round a table as a step towards ending the recent Indo-China conflict. As a matter of fact, the two official delegations Indian and Russian which had recently met in Moscow had agreed that no military solution of the problem was possible and a settlement could only be reached by peaceful negotiations at a conference at which all parties were represented. Kashmir is an International question

as Pt. Nehru had himself conceded. The plea of domestic jurisdiction cannot be justly put forward to thwart efforts towards a settlement.

15. At an International meet a few days ago a communique was issued at the end of the discussions in which it was stated : "Statements were also made regarding South East Asia and the Persian Gulf, the Cyprus problem and the dispute concerning Kashmir, Faraka and the Shattal Arab. The council expressed the hope that measures would be taken in all areas of International conflict in keeping with the principles of international law, equity and justice to promote peace and security in the world." Mrs. Indira Gandhi had during her recent visit to Mauritius declared her faith in the UN Charter and the resolution of International disputes in accordance therewith.

16. Let this august body place on record its considered view that both India and Pakistan should follow the Iranian and the British lead in this matter and request U Thant to mediate in this matter. They are both the members of the UN and are bound by the charter and day in and day out swear allegiance to the purposes of the UN as embodied in that charter and, therefore, this recommendation emanating from this august body should carry weight with them.

17. This august body may, therefore, appoint a committee, not necessarily the Steering Committee which has not been fathered by this body, which may take appropriate steps to implement this decision of the body, keep the matter under its constant review and report the result in due course to this convention, which may for that purpose be held in suspended animation and adjourned sine die.

PROPOSAL

G.M. BHAWAN

A Solution for the Political Future of J & K

"This paper attempts a solution for the political future of the J & K State in accordance with the guidelines adopted by the Steering Committee in their resolution of December 21, 1969.

In essence, it suggests initiation of a process which would growingly satisfy the aspirations of the people in various regions of the State. While it envisages an ultimate solution, the subsequent phases would partly depend upon circumstances obtaining and forces released during earlier processes.

The first and the foremost phase, from a practical and realistic angle, would be the establishment of a representative Government, through free and fair election. The State would then be reorganized on the basis of 5-tier system envisaged in the internal constitutional set-up of the State as laid down in document 'C'.

The State Government would initiate negotiations with the Indian Government for revising Centre-State relations in accordance with the agreements made between the popular leadership of the State and Indian leaders, till 1953. Morally and politically, the people of the State are not bound by any changes in the constitutional set-up of the State since 1953. All changes since that date would be reviewed by the State Government and the State Assembly which would have the right to scrap everything or anything that does not suit the interests of the State.

Meanwhile, the same processes should be repeated on the other side of cease-fire-line. A representative Government in that area on a de-centralized pattern should seek an autonomous status within Pakistan, analogous to the pre-1953 status of the Indian part of Kashmir.

In the next phase, the two representative and autonomous Governments in the two parts, respectively under the control of India and Pakistan, shall extend cultural and trade relations with each other, relaxing restrictions on travel. This phase should also be utilized for purposeful contacts and dialogue between the people of the two parts of the State as also between the representatives of India, Pakistan and the State. Efforts should also be made to promote Indo-Pak amity and understanding on a variety of issues that are bedevilling their relations at present. Having set their internal house in order and reduced communal and regional tensions by the system of de-centralization of political power, and running the administration on strictly secular and progressive lines, the people and the leaders of the State would be in a position to exert their political and moral pressure on the rest of the Sub-continent to come closer to each other and live like friends.

At that stage, the two parts of J & K State divided at present by an artificial CFL, would be re-united. The State of J & K consisting of three administrative units, viz. Kashmir, Jammu and the Frontier Ilaqas, as defined in the internal constitutional set-up of the State framed by the Steering Committee, shall then become a sovereign State comprising of the territories included in it before Aug. 1947.

The independent sovereign State of J & K shall enter into treaty relations/agreements with India and Pakistan whereby the subjects of Defence and allied matters of the area now part of India, shall be entrusted to India while the Defence and allied matters of the area now part of Pakistan, shall be the responsibility of that country. The treaty/agreements envisaged shall be among the three parties i.e. Kashmir, India and Pakistan and shall be registered with the UNO. The treaty/agreements shall be unalterable except when all the three units of the State agree to revoke, alter, amend or modify the terms and conditions laid therein.

By virtue of the treaty/agreements, India and Pakistan shall be bound by a solemn undertaking not to use the territory of J & K State to extend their mutual conflicts and that the State of J & K shall not be used by the two countries for any sort of military confrontation. India and Pakistan shall further be

bound not to allow foreign personnel or experts in respective areas whose defence and allied forces shall be their responsibility. Only Indian and Pakistani armies personnel and experts can be stationed on the territories of the State for defence and allied purposes in their respective parts.

For the purposes of internal administration, the State shall be one and the devolution of power to the three units shall be in accordance with the principles laid down in document 'C'.

There need not be any rigidity in the processes outlined above. After every phase, the situation should be reviewed and future options could be evolved in its light keeping in view the broad directions suggested in this paper.

PROPOSAL

ABDUS SALAM YATU

I have thoroughly studied the proposals and suggestions contained in Evaluation Report. Any solution is better than no solution. But solution must be acceptable to India and Pakistan and to the satisfaction of the inhabitants of the different regions of the state so that migration problem should be eliminated. Taking into account the present circumstances prevailing in India and Pakistan I doubt whether these two countries may agree on any these suggestions. Therefore, prior to any declaration by the Steering Committee and the People's Convention suggestion f(2) should be followed to lessen the hatred between the two countries. The suggestion f(2) "Status quo should be maintained for five years and Sheikh Mohammed Abdullah, accompanied by two representatives each from Kashmir, Jammu and Ladakh should be allowed to tour the two countries, meet the leaders to evolve a solution of the problem."

Sheikh Sahib's influence is beyond doubt and is therefore in a position to persuade the leaders of India and Pakistan to evolve a peaceful solution of the problem. Solution by peaceful means and by force of logic is unavoidable and may pave the way for lasting friendship between India and Pakistan and to strengthen the Secular democratic forces.

Moreover a humble suggestion is being submitted for consideration :

"A Facts Finding Mission should be set-up consisting of nine members. All should be men of integrity five from

Muslim Community and four from Non-Muslim Communities—each from Budh, Sikh, Jammu Hindu and Kashmiri Pandit. This Mission should be deputed to tour all parts of the Jammu & Kashmir and collect all information about the happenings of past 22½ years and be submitted the same to the People's Convention for evolving a peaceful solution."

PROPOSAL

MIR ABDUL MANAN

A large number of Kashmir Nationals living in Azad Kashmir & Pakistan and subscribing to the point of view of the Jammu & Kashmir Plebiscite Front (for Azad Kashmir & Pakistan) had received in February last, the documents issued by the Steering Committee of the J & K State People's Convention for eliciting comments, proposals, etc., from Kashmiris living on this side of the 'cease-fire' line.

In view of the importance of the issue and the large number of the invitees—Basic Members, Working Committee Members and Office Bearers of our Organisation, it was considered advisable to work in a scientific and organised manner and submit a unanimous proposal on behalf of all invitees to the Srinagar Convention belonging to the School of Thought of Jammu & Kashmir Plebiscite Front (for Azad Kashmir & Pakistan) to eliminate confused thinking and for that matter extra work that would fall on your Committee on receipt of large number of proposals, replies from members of our Organisation.

In view of the above Mr. Maqbool Ahmad Butt, President of the Jammu & Kashmir Plebiscite Front (for Azad Kashmir & Pakistan) in consultation with colleagues, immediately set up a 5-member 'ad hoc' Committee under the Chairmanship of Mir Hidayatullah (Retired Defence Secretary of the Azad Government of the Jammu and Kashmir State) and senior Vice-President of our Organisation for the current year with Messrs.

- (1) G.M. Loan
- (2) Abdul Khaliq Ansari (Outgoing President of the Front)
- (3) Amanullah Khan (Outgoing Secretary General of the Front)
- (4) the undersigned.

as members for the purpose of preparing a 'Working Paper' in consultation with all the invitees and other representatives of public opinion for facility of the working committee and special invitees (the later being invitees to the Srinagar Convention) scheduled to meet on 22nd & 23rd March 1970 at Rawalpindi.

The 'ad hoc' Committee after eliciting opinion of all the above referred categories of people held its meetings continuously for three days—19th to 21st March 1970 at Rawalpindi and prepared the requisite 'Working Paper' for consideration of the Central Working Committee of the Jammu & Kashmir Plebiscite Front (for Azad Kashmir & Pakistan) and the Special Invitees.

The Resolution forwarded under cover of this letter is the considered and unanimous reply of the Jammu & Kashmir Plebiscite Front (for Azad Kashmir and Pakistan) and all invitees to your Convention, subscribing to the ideology of the Front.

This proposal could not be submitted by the 1st week of April as desired in your letter of January 1970, due to unavoidable circumstances for which I express my deep regrets.

At the end, on behalf of my organisation and myself I wish the Convention complete success and pray to Almighty to bless all our countrymen in general and leadership in particular (on either side of 'cease-fire' line) with courage and far-sight to close their ranks and rising to the height of the occasion steer the destiny of our downtrodden dear motherland and her oppressed sons and daughters languishing under alien yoke, clear of the hurdles and obstacles of our way.

RESOLUTION

J & K PLEBISCITE FRONT (FOR AZAD KASHMIR AND PAKISTAN)

Adopted by the Central Working Committee of the Jammu & Kashmir Plebiscite Front (for Azad Kashmir & Pakistan) held at Rawalpindi on 22nd and 23rd March 1970.

"We are all seized of the harrowing fact that the Kashmir issue to our utter dismay, is hanging fire for over two decades and consequently our fate is hanging in the balance.

"That the nerve-racking suspense and ominous uncertainty about tomorrow, as a consequence of the present stalemate wholly responsible for continued political unrest, economic debacle and social disorder in the State.

"That the victimisation of the patriots resulting from our political struggle and the communal frenzy fanned by vested political interests has since taken a very heavy toll of life—few hundred thousand lives—not to speak of the exodus of the hundreds of terror-stricken people from one side of the cease-fire line to the other or from their homeland to India and Pakistan; and

"That these pathetic and agonising conditions have completely shattered the economy of our land bringing in its wake calamities of starvation, distress and disease.

"Worst of all the two great Asian powers—India & Pakistan, whose borders are contiguous to the State, are pitched against each other, both politically and militarily, thus wasting their enormous material resources and energies on the arms build-up and the maintenance of large armies owing to this unresolved dispute.

"Worse still, the Indian and Pak armies which have gone through the havoc of two devastating wars, in spite of their multifarious internal problems are still confronted, against each

other posing an imminent danger to peace in the sub-continent, serious repercussions of which on a global scale are inevitable.

"It is therefore, high time that lovers of world peace should feel concerned over this explosive and dangerous situation in the sub-continent; believers in human dignity should feel deeply perturbed over the untold sufferings of the subjugated, victimised and oppressed people of the State and the advocates and protagonists of the freedom of subjugated small nations of the world should come forward to uphold and openly support our right of self-determination.

"Under the prevailing circumstances, we are full of admiration for the laudatory efforts of Steering Committee of the STATE PEOPLE'S CONVENTION to evolve a formula for a peaceful, democratic, just and realistic solution, for the State's political future, keeping in view the interests of all regions, ethnical, cultural, linguistic and other problems and also the fact that such a solution should foster communal and religious harmony, not only within the State of Jammu & Kashmir but also in the whole sub-continent and should be in conformity with the past traditions and abiding values of our freedom struggle.

Fundamentals

"Let us first of all analyse our problem and try to agree on the fundamentals. Under the Indian Independence Act of 1947, British India was divided into two independent Sovereign States, namely India and Pakistan. By the same Act the princely States which did not constitutionally form part of British India and were not ruled by the Government of India but enjoyed full autonomy within the British Empire directly, were freed from British Paramountcy and restored their full rights of Sovereignty. Each State in its inherent sovereign right was, however given the option to accede to one or the other of the two dominions in keeping with its own interests and according to its own choice. The Act neither compelled any State to choose "accession" in preference to "independence", nor did it provide for the division of any State.

"In our particular case foreign forces marched into the

Jammu & Kashmir State, unfortunately, before the people could decide and declare their future freely. A dispute ensued between India and Pakistan over the issue with the result that United Nations Security Council had to intervene. Both India and Pakistan affirmed before the Security Council that the people of the State alone had the right to decide their future. The result of the debates and deliberations held at the World Forum was the Security Council Resolution by which it was unanimously agreed that all the foreign forces and other foreign elements shall be withdrawn from the State, and the people of the State shall be given an opportunity to exercise their right of "self-determination" to decide the future of the State through a free and unfettered plebiscite, to be held under the auspices of the U.N.O. Besides recognising our right of self-determination, the U.N.O. has also committed itself to the restoration of the integrity of the Jammu & Kashmir State as it stood immediately before the outbreak of the 1947-48 War.

"Apart from these international agreements, solemn pledges and U.N.O.'s assurances, it is an undeniable and universally known fact that the two great leaders of the sub-continent namely, Quaid-e-Azam Mohammed Ali Jinnah and Pandit Jawaharlal Nehru not only passionately endorsed are recognised, but also vehemently advocated these rights of the people of Jammu & Kashmir State during their life time before as well as after the partition. Pandit Jawaharlal Nehru's support to the revolutionary movement of 1946, which was aimed at liquidating the hereditary despotic rule of the Maharaja and restoring sovereignty to the people, is too well known to need any comment. Later, in his capacity as Prime Minister of India, Pandit Nehru, always advocated and supported the right of self-determination and sovereignty of the subjugated people all over the world, though at a later stage he refused to concede this very basic human right to the people of Jammu & Kashmir State owing to his difference with Pakistan. However, more recently, during his talks with Sher-e-Kashmir Sheikh Mohammed Abdullah in 1964, it is felt that late Pandit Nehru was desirous of settling the Kashmir dispute to the satisfaction of the State people. Similarly, when the question of the future of the States came up for discussion before Quaid-e-Azam soon

after the partition, he said, "I hate to be a Maharaja with flatterers around stopping you from taking decision on merits. When we say the people are sovereign, let there be no doubt about it. They are sovereign." (Reported by Justice M.B. Ahmed in Quaid-e-Azam's Anniversary Supplement of Pakistan Times dated 11-9-1969)

"The historical facts related above are merely meant to refresh the memory of our compatriots, the rulers and leaders of India and Pakistan and others concerned; otherwise, no arguments were needed to prove the fundamental truth that self-determination is our birth right by virtue of the fact that we belong to the soil of Jammu & Kashmir State and our ancestors have lived here for centuries continuously. That certain World Statesmen and the U.N.O. have also admitted it, is a further confirmation of our basic stand. In fact our freedom movement, right from 1931 to this day which has been carried on an all-State basis long before India and Pakistan came into being, has throughout been aimed at achieving recognition for the exercise of this very right of self-determination and sovereignty of the people. The whole State of Jammu & Kashmir has always been not only the field of our political activity but also the subject of our political demands. Our people have suffered untold miseries and made immense sacrifices to achieve these high objectives. Surely, no patriot can ever afford to ignore these sacrifices or lose sight of our goal at any cost and under any circumstances.

"The logical conclusion we arrive at in the light of the history of our freedom movement is that there are two fundamentals on which we have always relied and on which we should continue to rely and stand firmly upto the last. These are :

1. The right of self-determination which implies the right of sovereignty of the people ;
2. The inviolability of the integrity of the state.

"We cannot, therefore, accept a position which militates against our stand for unqualified and unrestricted right of self-determination, or which jeopardises the integrity of our country.

"Judged by these standards, the proposals tabulated in the Steering Committee Report (Document B) are commented upon briefly as follows :

1. "Accession to India" or "The present relationship with India to continue for ever."

"To acquiesce in the super-imposed accession of the State to India or to continue the present relationship of the State with India for ever is tantamount to an abject surrender of our universally accepted right of self-determination and to the division of the State, which no patriot will tolerate in any case notwithstanding guarantees and assurances for a special status as stipulated under Article 370 of the Indian Constitution or restoration of full autonomy as in 1947 and so on.

"Similarly, the continuance of the present position of Azad Kashmir and Gilgit-Baltistan Frontier Areas as Pakistan-controlled territory even though it may be made internally autonomous, will be obviously inconsistent with the aforesaid principles.

2. "Interim arrangements with final solution after specified period" and "some other methods for solving the problem" such as :

- (a) U.N. control for a specified period ;
- (b) Joint responsibility for India and Pakistan in respect of such subjects as Defence, Elections, Judiciary, Public Service, Economic Development, Audit, and Currency ;
- (c) Full autonomy within existing constitutional framework ;
- (d) Status-quo to be maintained for 5 years ;
- (e) Regional autonomy before attempting to decide the question of over-all status ;
- (f) Independence of the whole State with joint control (of India and Pakistan) of foreign affairs and defence ;
- (g) Dickson Plan with independence for the plebiscite area ;
- (h) Zonal plebiscite.

"All these proposals amount to the imposition of a decision on the people arbitrarily from outside in utter disregard of their right of sovereignty. Some of these proposals also imply

division of the State which again violates the integrity of the State.

"Control of U.N.O. or any foreign power or powers or the joint control of India and Pakistan is apt to create more complications and problems than it may solve. Moreover, it is fraught with the danger of weakening our will and integrity.

"Again, Joint Defence or joint Control of India and Pakistan is, firstly, impossible until these powers sincerely resolve to bury their hatchet, come close to each other and decide to live like good neighbours, which, however, as it seems, they are least likely to do in the near future. In fact, it will be like putting the cart before the horse to expect India and Pakistan to co-operate with each other as friends unless and until they are able to solve the Kashmir dispute. Secondly, such joint control, etc., will be diarchy of the worst type and a double embargo on our sovereignty and self-determination.

Plebiscite on the Question of Accession alone

"The plebiscite restricted to the question of accession alone amounts to depriving the people of their free choice and is against the very spirit of the term "Right of Self-determination" which implies "a nation's right to determine its own polity". The restricted plebiscite, therefore, implies that those who do not believe in accession must be deprived of their right of self-determination outright, quite unjustly and arbitrarily. Secondly, accession under such circumstances will again mean submission to coercion. Accession to India or Pakistan before we are free, competent and strong enough to settle honourable terms with either is likely to prove disastrous for us, because in that case we are bound to be treated as a subject race.

Our Proposals

"The Jammu & Kashmir Plebiscite Front (for Azad Kashmir and Pakistan) representing the people of Azad Kashmir, Gilgit and Baltistan, Jammu & Kashmir Nationals living in Pakistan, the oldguards of the freedom movement on this side of the cease-fire line and the youth engaged in the freedom struggle

including those of its members from whom proposals have been invited by the Steering Committee of the State People's Convention, Srinagar, having carefully gone over all pros and cons and having deliberated over the matter in the Front's Working Committee proposes as follows :

"1. All armed forces and armed Police belonging to India and Pakistan or under the control and command of their civil and military authorities must withdraw from the State.

"2. The State Army duly reorganised and adequately equipped should replace the external armies. Similarly, external Police force stationed in the State must be replaced, by the Jammu & Kashmir State Police which should also be reorganised according to the new requirements.

"3. The "Srinagar-Muzaffarabad, Jammu-Bhimber" and "Bandipura-Gilgit" roads must be thrown open to normal traffic and the unwarranted, unjustified and oppressive restriction on the movement of State nationals from one side of the cease-fire line to the other, within their homeland, should go. Further, the Jhelum Valley road connecting Srinagar with Rawalpindi and the Banihal Cart road connecting Srinagar and Jammu with Sialkot should also be re-opened to normal traffic.

"4. The two parts of the State which have been created by an artificial and arbitrary cease-fire line should be re-united.

"5. The people who have migrated from one part of the State to the other during the last 22 years may be repatriated or allowed to stay where they are already settled, just as they may like. As regards the State nationals who have taken refuge in India and Pakistan, they shall have to be repatriated to their homeland before plebiscite is held.

"6. Free elections should be held to the State legislature and a representative national government formed after the integrity of the State is restored, all external forces are withdrawn and outside interference and pressure is vacated.

"The State Legislature may also function as the Constituent Assembly and frame a new Constitution of the State.

"7. Elections to an all-State legislature and the election of a Representative National Government for the whole State should be held under the supervision of a neutral administra-

tion. Similarly, other steps considered as prerequisite to the plebiscite may also be taken through the agency or under the supervision of the neutral administration.

"8. (a) Plebiscite should be held on the question of :

- (1) Accession to India
- (2) Accession to Pakistan
- (2) Independence of the State

after a reasonable period, say 5 years during which the elected National Government may be able to repatriate and rehabilitate the refugees and displaced persons, restore normalcy, reorganise the armed forces and take other necessary measures to set the stage ;

(b) The plebiscite should be held for the entire State ;

(c) It should be held under the supervision of a neutral administrator who may be assisted by some of the MLAs representing the major political parties of the State and the State Government Officials (including Police) whom the neutral administrator may select in consultation with the State Government ;

(d) The neutral administrator should be selected by the U.N.O., in consultation with India, Pakistan and the State peoples' representatives.

"9. In case it is not found possible to reorganise the State army to maintain security, law and order within a reasonably short period (say 6 months) the elected State Government may either directly or through any member country of the U.N.O. apply for the deployment of U.N. forces selected from small neutral countries to do the job for some time.

"10. As regards financing the plebiscite arrangements, it should be the responsibility of the State Government. But in case it is unable to take the liability it should request the U.N.O. to come to its aid.

"11. Before plebiscite actually takes place the terms of accession shall have to be settled by the elected representatives of the Constituent Assembly/Legislature of the Jammu & Kashmir State on the one hand and India and Pakistan on the other.

"12. In case the verdict of the people through plebiscite goes in favour of independence :

(a) Independent Kashmir shall comprise of all parts and areas as it existed before October 1947 ;

(b) A Federal Independent Republican Government shall be formed with FIVE autonomous Units namely :

I. Jammu East, comprising of—

- (i) Jammu District,
- (ii) Kathua District including Ramnagar Jagir,
- (iii) Udhampur District including Chaneni Jagir and
- (iv) Lower Reasi.

II. Jammu West, comprising of—

- (i) Upper Reasi viz. Gulabgarh sub-division,
- (ii) Rajouri,
- (iii) Mirpur District including Nowshera sub-division,
- (iv) Poonch District including Poonch City, Rawlakot and Pullandri, etc.

III. Kashmir, comprising of—

- (i) Islamabad,
- (ii) Baramula, and
- (iii) Muzaffarabad.

IV. Baltistan, comprising of—

- (i) Kargil,
- (ii) Skardu,
- (iii) Gilgit,
- (iv) Astore, and
- (v) Hunza, Nagar, Ashkoman, Darel, Tangir, Yasin, etc.

V. Ladakh

Note : (1) If JAMMU EAST, at some later stage feels disposed towards merging with JAMMU WEST, it could take such a decision, in keeping with

the wishes and free-will of its population, without any pressure from outside.

2. Minor adjustments in the composition of UNITS could also be made keeping in view the ethnical, linguistic, cultural, economic and other interests of the component parts of each Unit.

(c) None of the Units shall have the right of secession from the country.

(d) The Units shall be given maximum powers to exercise their autonomy in all important fields to safeguard their ethnical, cultural, linguistic and other genuine interests in full conformity with the overall integrity of the State.

How to Achieve our Objectives

"The present position is that the State is divided into two parts both of which are under the occupation of external forces and overall control of external governments, hostile to each other. There is of course a difference between the attitudes of these controlling governments which is that while India claims the State to be its integral part, Pakistan's stand is that the State is a disputed territory whose future is yet to be decided to the satisfaction of its inhabitants. At any rate, both the Governments have started to treat the case as a territorial dispute between themselves and assumed the role of masters (not custodians) of the areas under their respective control. This attitude on their part is also responsible for creating the wrong impression in the world outside that the case of Kashmir is primarily a "territorial dispute" between India and Pakistan and not a "question of the freedom of over five million human beings". In such circumstances it will not be possible to implement the above proposals. We shall, therefore, have to strive very hard to make India and Pakistan relax their attitude and agree to our proposals which are aimed at a peaceful, just and honourable settlement of the issue.

"In order to bring round India and Pakistan, we suggest as follows :

- (a) Jammu and Kashmir State Peoples Convention as also such political parties and patriots who are not participating in the Convention should press the above demands on the Governments of India and Pakistan with all the force at their command.
- (b) They should project our case before the outside world as well as the U.N.O., both 'directly' through personal contacts and indirectly through Press, Literature and other helpful Institutions and personalities.
- (c) Accredited representatives of the people should go about canvassing the rulers, leaders and the people of India and Pakistan. It will be in the fitness of things if a number of such representatives were selected at the next session of the Srinagar Convention.

An Ideal Alternative

"Under the prevailing circumstances when the continued tension and strained relations between India and Pakistan (which is mainly due to their quarrel over Kashmir) besides crippling their own economies, has virtually put the State people in a quandary and they are made to groan under agonising uncertainty and misery which are the direct result of the stalemate in the case, the selfish powers are inhumanly turning a human problem into an Indo-Pak territorial dispute to aggravate thereby the worry and anxiety of a subjugated people and some short-sighted and unpatriotic elements are raising communal slogans thereby the flame of communal frenzy, creating mistrust and inviting schism and division in the body-politic while the patriots are being ground between two mill stones,

"The only ideal alternative, the line of least resistance is to declare Jammu and Kashmir as an independent State with a natural character.

"The emergence of a "unified, neutralised, free Kashmir" would serve as a bridge between India and Pakistan and a friendly link between all Asiatic neighbours.

"Independent Jammu and Kashmir State shall guarantee maximum autonomy to its federating units with complete

safeguards to ethnical, cultural and linguistic interests on Swiss Pattern at District level with minor adjustments wherever necessary. The pattern of Government of the independent State of Jammu and Kashmir shall be such as each Unit however shall in area or population, may have an opportunity to come up to the top authority.

Our Resolve

"As already explained at some length we the people of Jammu and Kashmir State have been engaged in a continuous struggle for freedom for nearly four decades. We have been aspiring for freedom to exercise the right of self-determination and sovereignty and to promote the prosperity, welfare and happiness of all of our countrymen. We believe that these aspirations of our people will be satisfied only in case we are *free* to decide our political future without let or hindrance, fear or favour, distinctions of castes, creed, colour or clan and above all without any outside pressure. In fine let all of us be quite clear about one thing, that any kind of settlement of the Kashmir dispute which does not fulfil our national aspirations will not be acceptable to us in any case. If, unfortunately, India and Pakistan are not prevailed upon to allow us this opportunity, we must have the will either to live honourably or die honourably, but never be content with a slavish life. We shall have to utilise all our resources and employ all possible means to achieve our cherished sacred goal. In order to forge a United National Front for the most uphill task which lies ahead of us we must first create mutual understanding and inspire confidence among the various sections of our people and shades of opinion among them. The Steering Committee of the State Peoples' Convention has already taken steps in this direction by coming out with broad outlines of the future constitution of the State. A careful study of the proposed constitutional set-up reveals that authors of the "document C" and the delegates to the last year's Convention who passed the political resolution were guided by the desire to entrust a good measure of authority and autonomy in the future democratic Government of the State to every Section of the people in order

to inspire confidence in them thus paving way for their unstinted support to the freedom movement. We are not only in agreement with them but also wish still further decentralisation of the Central Authority and delegation of still greater autonomy to every Unit, no matter—how small it may be in respect of size, population and resources, provided it has the necessary qualifications of forming a unit of the State.”

PROPOSAL

MOHD. SHARIF TARIQ

I and twenty more members of my party have received the various proposals from you for our comments. I am attaching herewith a communication from all the members and hope that the same will be placed before the convention.

The recipients of the communication of the Steering Committee wholeheartedly share the anxiety of the Steering Committee about the solution of the issue of Kashmir. We, from the depths of our hearts, pay tribute to the Chairman, Sher-i-Kashmir, Sheikh Mohammed Abdullah, for his sincere and strenuous efforts to help in solving the dispute of Jammu and Kashmir in a peaceful and amicable manner. We pray for his success and for the convention so that India and Pakistan, as well as the people of Jammu and Kashmir, may live in peace and march on the road to progress and prosperity.

We wish to make it clear that the people of Jammu and Kashmir are the principal party to the dispute of Jammu and Kashmir and it is their rights and interests which are to be safeguarded and it is their wishes which are to be ascertained. Unless that is done, there can be no real peace in the sub-continent or in the State of Jammu and Kashmir.

The decision to hold a plebiscite in the entire State is already there. It has been agreed to by India and the biggest powers in the world have also agreed to it. India and Pakistan have also agreed that the plebiscite in Kashmir is to be supervised by the United Nations.

It is high time that fullest pressure is exercised by the people of Jammu and Kashmir on the United Nations to implement the resolutions of the UN Commission for Kashmir in letter and spirit.

The United Nations should obtain a guarantee from India and Pakistan both that the autonomy which the State has been enjoying upto 1947 will in no case be disturbed or altered in case of accession.

To assist the UN plebiscite machinery, an interim Government, comprising Indian held Kashmir and Azad Kashmir, should be set up. The Government may be headed by Sher-i-Kashmir Sheikh Mohammed Abdullah so that it inducts into office the Plebiscite Administrator. According to the UN decisions, the ruler of Jammu and Kashmir was to induct the P.A. into Office but the ruler has ceased to exist now. Instead Sheikh Mohammed Abdullah, who was the first Muslim Prime Minister of Kashmir in a century and the Head of the Administration when the UN decisions were taken, can induct the P.A. into office.

Preparatory to a plebiscite, the outside armies should be completely withdrawn.

The internal constitutional set up of Jammu and Kashmir, published by the Jammu and Kashmir Convention Steering Committee, was also discussed by the Standing Committee of the Plebiscite Front on this side of the Cease-Fire-Line. It was felt that in the event of a plebiscite to determine the future of Jammu and Kashmir, this draft constitution, proposing a five-tier set up for the administration, could prove a guideline for the interim administration, which is to conduct the affairs of the State till a plebiscite is finalised.

J & K IN PERSPECTIVE

KAMAL K. SHARMA

For the last two decades we had been hanging in two edges and unfortunately we had been the only victims in the tussle. One wonders what the leadership is trying to establish by denying that there is any Kashmir problem. And whether it is Mr. Sadiq, Mrs. Gandhi, or some one else, they have been usually taking refuge under Article 370, while saying so. Will they ever realise that by saying so they are merely living in world of thoughts. Not only ruling clique but other popular leaders have also failed to realise that besides political problems we also have social and economic problems.

We cannot think better when our stomachs are empty and moreover when our progress in all the fields has come to almost zero. Only beautification is not going to solve the problem nor opening of more wine shops. Over so called socialist govt. has not even tried to encourage a single industry in the private sector, what to talk of public sector. Absurd planning has rendered to many jobless, educated or uneducated, their number is swallowing like any thing. This is how I am trying to explain the frustration in the youth, who in present conditions will only think of blasting everything rather than construct something. Slogans can never solve the problems and are shortest way of survival for the leadership.

Unfortunately our people of different regions have gone far away from each other, may be some political differences or some thing else, but they have now in fact started hating each other.

And it is not only the feeling of discrimination but the regional tendency in our leadership which has resulted in further widening the gulf between the different regions. Religion edged

politics and opportunism have also played their part in developing such condition.

This gulf between the regions have been usually exploited by the imposed governments on us. I am using the word imposed because it is not the people of Srinagar, Jammu or Ladakh who form the government but it is ruling Junta in New Delhi, who every time places the Government of their choice on our heads. And the excuse they have is that to keep international reputation they interfere in the matters of the state. Why we had been silent and allowing the others to shape our destinies when democracy is our way of life. We have been usually blackmailed in the name of "International Reputation". And once people of all regions unite, and really understand each other, exploiters will stand nowhere.

After all question comes to our minds, that why we have adopted regional approach? Why there had been no attempt to take the people of Jammu in confidence while demanding plebiscite or vice versa? Why forces favouring accession to India have not taken the people of valley into their confidence? Let us frankly admit that it has been "Religion" which has been playing dominant role in our politics. After all why we forget that Jammu and Kashmir is one state and no region can live without the other one. And instead of integrating the state and bringing our areas which are now in Pakistan, we talk of further division of the state.

There can be no solution unless we reach at consensus, that what we want and what is the way out. Feelings of everybody should prevail and let us work for the eradication of feeling of domination, theoretically as well as practically.

Shiekh Abdullah, Prem Nath Dogra and Dr. Karan Singh can do a lot in bringing the different regions together before going for any solution. Let us bear in mind that it has only been the leadership which has brought people to right path, though it may have cost some popularity. Let us be realistic in our approach and do not misguide the people merely on slogans. Leadership must respect the feelings but should not be swayed in the stream. It does not behove me to advice my elders but there are certain facts which should not be forgotten.

Not only people of Asia but whole of the world are proud

of Kashmir for maintaining communal harmony, but are we really successful in it.

Thousands of Kashmiri Hindus have sold property in Srinagar and have migrated to Jammu and other parts of India. Unfortunately nobody could check it and nobody from the leadership could explain that why it was so. Most of them were afraid and were not in a position to tell that why they left their homes, in which they had been living for centuries. Equally responsible are the people of Jammu who fail to accept them as their part and parcel. Is it not a part of secularism to stop this exodus and restore their confidence.

Let us try to feel the pulse of every body and then try to spell out that what secularism, socialism and regionalism means. If we have to be regional let this region be Jammu, Kashmir and Ladakh together.

It is definitely not criticism of any individual or party, but let us try to search our hearts. Let there be no regional and religious approach in our politics. By arousing such feelings we are simply digging our own graves.

Our minds are open and we will accept any solution which is free from the feeling of domination and entitles us for equal share in power. *Domination* I am using because Jammu has got the feeling of domination, not only state but even central government has treated Jammu people as second class state subjects.

Let us realise that if thread is stretched beyond its strength it finally breaks.

I may also add that political infiltration is also increasing in the educational institutions and they are slowly and slowly becoming power testing stations for politicians.

I would earnestly plead for refraining from such acts and save younger people from being destroyed. Let them develop their own thinking.

Let us try to free our state from opportunists and puppets, who sometimes break ballot boxes and reject nomination papers to keep their chairs in tact and not only this, they also

try to paint wrong picture before their so called bosses in the centre.

In the end, let me hope that first we will unite our regions and create perfect understanding in them, before we ask for anything. Let there be your guidance and experience and we will add our youthful energies.

PROPOSAL

GWASH LAL KOUL

Resolution

"Until Pakistan vacates aggression or is prepared for a compromise when alone reference to the people might be possible regarding future disposition of the state in parts or in whole this house is of opinion that separate legislatures be set up in the meanwhile in Jammu, Ladakh and Kashmir under a common Governor if inevitable which should decide what department beyond defence, communications and foreign relations be passed into the Centre and which constitutional guarantees will be required to end the present uncertainty."

PROPOSAL

VED BHASIN

To be honest it must be readily conceded that it is not at all easy to evolve a solution of what is called Kashmir problem that could satisfy all the guidelines suggested by the Steering Committee in full measure. We must, therefore, be modest and remain content with attempts that can mark nearest approximation to the guidelines.

The guidelines, however, exclude certain solutions more unambiguously. We could, therefore, start with a process of elimination in search of a viable solution.

Broadly there are only three alternatives, viz. accession to Pakistan, accession to India and independence. All other solutions are merely modifications and variations of these three basic solution.

First of all we must rule out plebiscite as a solution. For it is a mechanism for ratification of a solution and itself is not a solution. In terms of our guidelines there should not be any room for a discussion on it. Once a solution has been evolved by this convention, the next task would be to canvass support for it from peoples in various regions of the state and then to negotiate with leaders of India and Pakistan on the basis of that solution. If a solution has been endorsed by leaders of all the regions of the state and is acceptable to those of India and Pakistan, plebiscite would be a needless formality. Otherwise, i.e. if any one of the parties concerned does not approve of the solution, there would be no possibility of holding a plebiscite.

Further, as a means of ascertaining the wishes of the people, plebiscite is most crude method and has rightly been discarded by most of the civilised modern democratic countries of the world.

To keep it alive as a slogan on the basis of the pledges made by the leaders of India misses the vital fact that two other parties concerned viz. leaders of Kashmir and Pakistan had also made certain commitments. It is illogical and immoral to insist on implementation of pledges by one party when the other two are no longer bound by that. The leaders of Kashmir had categorically committed themselves to join Indian Union without pre-conditions while Pakistan had offered to withdraw its forces from the areas occupied by it.

In any case insistence on plebiscite i.e. on a particular mode of popular ratification of a solution, without stating the solution itself betrays on infinite faith of the leaders in the blind allegiance of their people. A leader who goes on repeating the slogan of plebiscite without indicating the precise manner this right is to be exercised is obviously treating his people as herds of sheep and goats and not as dignified human beings capable of making independent judgement.

Let the leaders of Kashmir make up their minds on alternative solutions and go to the people, educate them and seek their support. If a leader cannot demonstrate greater popular support for a particular solution or if his claim of a majority support is challenged, only then he has a right to demand plebiscite or an election on that issue.

Coming to the solutions proper most romantic, utopian but equally impractical solution is that of independence. Let us for a moment waive conditions like realistic and satisfaction of all regions suggested in the guidelines. Let us make an unrealistic assumption, for the sake of argument, that there is a sudden transformation in the hearts of leaders of India and Pakistan and both decide to withdraw their forces from the state. What would happen if the state is, through some miracle, restored to the position as it existed in 1947, albeit without a Maharaja and his army. What is the guarantee that 1947 would not be repeated.

The inviolability of the sovereignty of the state would depend upon ; firstly perfect understanding and friendship between the three big neighbours of the State viz. India, Pakistan and China, secondly on perfect emotional integrity between all the regions and the communities of the state. No magic formula

has so far been suggested which would eliminate all rivalries between the three powerful neighbours. Unless India and Pakistan can confederate the two countries would continue to exercise divergent pulls on the people of Kashmir disrupting their common loyalty to the state. Even if the two countries become friends they will remain the foci of power which would continue to attract the people of the state in two different directions.

But how would such a situation satisfy all the regions? Why should people of Jammu opt out of India to be tagged to an Independent Kashmir. Their refusal to make such a choice cannot be condemned as communal. Firstly because disowning one's nationhood, which the people of the whole state accepted in 1947, is anything but patriotism. Secondly the Kashmir rulers of the State have hardly done anything to endear themselves to the people of Jammu so as to make them to have greater attraction for Srinagar than for Delhi. For all practical purposes Jammu is treated no more than a colony by all the successive regimes in Kashmir. The natural thrust of genuine and secular regionalism of Jammu is against Kashmir and not Delhi. If the secessionist choices of the people of the valley are justified on the grounds of their disillusionment with the rest of India, Jammu's disinclination to cut itself entirely from the rest of the country and acquiesce in the status of a satellite in the state should be more easily appreciated. In fact Jammu should be given credit for not harbouring sentiments of secession from Kashmir on a basis of experience similar to that of people of Kashmir in relation to Delhi.

Finally if we apply the acid test of realism, independent Kashmir would be the most unrealistic solution one can conceive of. How would the armies of India and Pakistan be forced to withdraw from the State? How would the state be defended if and when the two armies are withdrawn. The plea of joint defence is another utopian solution which cannot stand the test of common sense even for a moment. India and Pakistan can undertake this responsibility only if the two have common defence and foreign policy objectives. Mere friendship between the two countries, which too cannot be taken for granted, cannot ensure smooth working of any system of joint defence.

The idea of independence and its various variations rests on the naive assumption that there is some way to order India and Pakistan to behave in a certain pre-determined manner and that human beings within the state are like inanimate objects in a laboratory where all conditions of experiment can be controlled. It is too messianic a dream to be realised and in no sense an ideal dream.

The only way to ensure the integrity and personality of the state is to become part of a defence system of one of its powerful neighbours. The alternatives again are limited. Either India or Pakistan can be trusted to provide the needed defence. It is not only a question of making a realistic choice between the two alternatives but of certain basic values. Pakistan is avowedly a Muslim state based on the concept of two nation theory and repudiation of the principles of secularism. The Steering Committee has wisely emphasised the concept of secular democracy in addition to need for promoting communal harmony. Sometimes even in a theocratic state communal harmony may remain undisturbed for quite some time. The question is not merely the actual treatment of minorities in Pakistan but of the basic concept of the state. The freedom movement of Kashmir and rest of India to which the guidelines make a valuable reference, had categorically discarded the two nation theory, the bedrock of Pakistan. Accession to Pakistan would thus amount to negation of the values of the freedom movement and secular traditions of the state. Needless to add that such a solution would not satisfy the aspirations and interests of all the regions of the state, in particular of Jammu and Ladakh. Further the federal internal constitutional set up of the state proposed by the Steering Committee finds no room in the theory and practice of Pakistan. This solution in any case rests entirely upon armed superiority of Pakistan over India and the ability of the former to impose a military decision on the latter. As it is it can neither be a peaceful nor realistic solution of the problem.

By a process of elimination choice before the people of Kashmir is limited to remaining part of India. The only objection that may be advanced against it is that the majority of the people of the state are not satisfied with it. Nobody has

precisely measured the extent of this dissatisfaction. If the four General Elections are no measure of the support of the pro-India sentiments, the huge plebiscite-demanding rallies are equally inadequate measure of popular disenchantment with India. Undoubtedly there is discontent but that is a mixture of Pro-Pak sentiments, urge for independence, dissatisfaction with present centre-state relations and disillusionment with the working of the administration. Until policy of liberalisation is also extended to secular and pro-India opposition and legitimate constitutional outlets are available to anti-government sentiments the secessionist sentiment would continue to appear stronger than it is. Again until the umbrella of plebiscite covers a wide range of choices not excluding variety of relations with Indian Union, pro-Indian and pro-Pakistan feelings cannot be quantified. The remaining part of India is not entirely against the psyche values and traditions of Kashmir was amply demonstrated in 1947. It is conceivable that the popular mood in 1970 is different from that of 1947. The irritants and circumstances that change mood of the people cannot change the validity and wisdom of the basic choice. Such basic decisions are made once in a lifetime of a nation. If a right of self-determination is to be exercised perpetually on the basis of provocations provided by changing circumstances no international order can survive. Changing moods of the people cannot be the basis of changing boundaries between nations. Even if we assume that the people of Kashmir have changed their minds and they are entitled to do so, let us be clear what constitutes a people. Is a collection of heterogeneous, discrete and mutually hostile groups called a people? Is a majority decision of such a collection of individuals a democratic decision? If 90% non-Muslims of India decide to deprive the Muslims of their democratic right will it be a democratic decision?

Before insisting on respecting the wishes of the people on the issue of accession let us constitute the people as a homogeneous composite entity. The future internal set up proposed by the Steering Committee will surely go a long way in evolving a unified and composite entity of the people of the state. It is too premature to suggest what would be the will of the people

who would be evolved through the working of the proposed constitution. There is, however, basis for the presumption that a state with well-adjusted regional personalities would find itself far more at home within the Indian framework than in Pakistan. For India has succeeded far more in accommodating regional personalities within its framework.

Basically it is a moral question. Whatever may be the political compulsions, repudiation of pledged words by a people or its leaders undermine its moral fabrics. Of their own accord leaders of Kashmir made certain clear commitments in 1947 about the future of the state. At no stage had they declared that the accession to India was temporary or subject to some conditions. To say that Indian leaders too had made certain commitments which they had not honoured is an alibi and no justification for the change of mind of the Kashmir leaders. For their commitment was basically to their conscience and to their people and not to the leaders of India.

I do not intend to exonerate the Government of India for their acts of commissions and omissions in regard to Kashmir. But a mere condemnation of the Government of India does not give me any consolation as that does not exonerate the leaders of Kashmir of their sins of omission and commission. By their reservation and second thoughts on the question of state's external relationship the leaders of Kashmir have materially contributed to the worsening of Indo-Pak relations, undermining the secular character of India and eroding moral basis of Kashmir's politics. More than anything the current mistrust about the loyalty of Muslims of India can be attributed to the volt face of Kashmir leaders. The argument has come handy to the Hindu communalists who as if the tallest of Kashmiri Muslims cannot be trusted in his loyalty to India, what about ordinary Indian Muslims. If Muslim leaders of Kashmir with glorious secular record start wavering in their allegiance to the country on the first available opportunities, this runs the argument, what about Muslims who had voted for Muslim League and held allegiance to two nation theory before partition.

That Muslims of Kashmir are capable of arising above communal appeals has been demonstrated more than once. The classic instance was in 1947. It was the decision of Muslim-

majority Kashmir to accede to India that quenched the wave of massacre of Muslims that was going on in various parts of the country. The fateful decision of Kashmir Muslims laid the foundations of a secular democratic polity in India. That basis is no doubt shaken today. But undoubtedly the wavering minds of the Kashmiri leaders has constituted to shattering it. If strength of secular democratic forces is to be restored the Kashmiri leaders must reiterate their decision of 1947. Any disposal of Kashmir, other than remaining part of India, would pose a serious threat to secular democratic forces and release forces of communal hatred and violence in the sub-continent.

On each point in the guidelines, it is possible to defend the decision of Kashmiri leaders taken in 1947. It was obviously in conformity with the past traditions and abiding values of our freedom movement. It did strengthen secular democratic forces and promoted communal harmony. It was also a democratic and just decision and realistic in the circumstances then prevailing. It would have been peaceful but for the tribal raids from across the border.

It is true, however, that the relationship that the leaders of Kashmir evolved with the Centre of their own free will from 1947 to 1953 developed certain strains. Firstly, Pakistan continued its efforts to undermine the loyalty of the Muslims of Kashmir on the basis of religious appeal to compromise with the mood or the peoples who thus had influenced can neither be called courageous nor patriotic.

This relationship between the State and the Centre, however, did not have the same support from all the regions of the State. As this is an important guideline approved by the Steering Committee let us go to the causes of Jammu's opposition to Delhi agreement of 1952 on which Centre-State relations were sought to be stabilised. Simply because this relationship was not acceptable to Jammu, it did not justify going to the other extreme of repudiating the very basis of relationship. However, while returning to the same basis a pertinent question is, will Jammu react to it differently than it did in 1952?

The real controversy thus is confused to what should be the ideal relationship between the state and the Centre which would satisfy all the regions of the State as also other guidelines

approved by the Steering Committee. The understanding between Government of India and leaders of Kashmir in 1947 was that after ceding three subjects—foreign affairs, defence and communications—to the Centre no changes will be made in the status of Kashmir without the consent of its people or their duly elected representatives. The changes that have taken place after 1953, through so-called elected representatives cannot be morally justified whatever be their legal validity. For there are enough doubts about the fairness of the elections and the methods used to get decisions of the State Legislature.

Whatever has happened after 1953 must, therefore, be made an open question subject to a discussion between the leaders of Kashmir, leaders of Jammu and Government of India. Much of the resistance of Jammu to Kashmir's urge for greater autonomy can be overcome by an equitable share of political power between three regions of the state. If the power got from Delhi is centralised in Srinagar and is used to subjugate the people of Jammu, they should not be expected to support it.

A final question that remains to be announced is the possible reaction of the people of the valley to this arrangement. Just as it is the job of the enlightened leadership of Jammu to allay the apprehensions of its people, the enlightened leadership of the valley should also rise to the occasion and convince the people that it would be in their interest to take a morally justified and rational stand. In any case a leadership that does not own a sensible solution on the fear that it might not be acceptable to the people, is not entitled to claim leadership as it is only led by people instead of leading them.

If we cannot evolve a solution that can satisfy all the regions and the parts concerned we have to be content with such solution as cause least dissatisfaction. If we earnestly work for regional and communal harmony on the basis of 5-tier set-up the tensions that provoke extremism would be eliminated. It may then be easier for the peoples in Jammu and the Valley to reconcile to a mutually agreed status within India. But reactions of extremists in Jammu or Kashmir should not be used as valid reasons for rejecting a perfectly moral, democratic, logical, just and realistic solution.

PROPOSAL

RAGHO NATH VAISHNAVI

Mr. Chairman, at this Second Plenary Session of the J & K State People's Convention, among my other colleagues, I have also to share the duty of submitting in clear, brief and precise terms my point of view for solution of the State's political future.

It is a difficult commission to execute and calls for courage of conviction, born of thought and deliberation of long years' reckoning. The solution offered must conform to the guidelines of the Resolution No. 1 of the First Session of the Convention, dated October 17, 1968, wherein the principle was reaffirmed that keeping in view the interests of all regions, a solution acceptable to the people of the State alone could resolve the dispute and restore normalcy and tranquillity in the Sub-continent, including Jammu & Kashmir. To this end, the Steering Committee was charged with the task of properly tabulating the presented material for submission to and discussion in the second session of the Convention in order to pave the way for finding a peaceful, democratic, just, realistic and lasting solution of the issue.

The Steering Committee have classified the proposals submitted by the delegates at the first session of the Convention and the same are apparently enumerated in the Committee's report of 17th February, 1969.

As indicated by the report, the suggestions offered vary in essentials. Left as they are, the solution of Kashmir's political future appears as distant as ever. A consensus is to be reached if it is desired to lift the brakes, end tensions and release the destiny of the Sub-continent, including Jammu & Kashmir, to proceed on the road to peace, freedom and progress.

Should not the accredited leaders of India, Pakistan and Kashmir sit together and agree to restore to the State its age-old status of sovereign independence it enjoyed all along before it was invaded and occupied by the Pathans, Mughals, Sikhs and Dogras?

In my letter dated 25-2-1964, addressed to the President of India, Dr. S. Radhakrishnan, while conveying to him how the whole populace in Kashmir had gone into mourning at the loss of the holy relic, I had tried to bring pointedly to his notice that "of whatever religion, creed or community, the people of Kashmir are born of one and the same soil. We have a tradition, a history, centuries old. We have together braced the rise and fall of power; the ebb and flow of the tides of time; shifts of destiny; stresses of temporal change.

We possess a unique sense of belonging to our land of birth. Held by mountain gorges, Kashmir has her own language and culture, a common way of life and outlook; of feeling and features. We have a common heritage; common customs and sentiments. We are imbued with mutual respect and regard for all faiths and forms of worship, temples, shrines and sacred places. We have a history of common suffering and struggle. A bond of kinship forged through the hazards of time, tradition and huge upheavals—this is the sustaining chord of our social, economic and political existence in Kashmir.

Pakistan and India have to draw instruction and inspiration of abounding communal harmony, understanding, tolerance, brotherliness, peace and concord which have held and do hold together all sectors of social life in the State, the paradise of Asia!

Let the world recognise that Kashmir is a type by herself.

Kashmir.....appeals to all who feel concerned about the welfare of our native land and the millions of Kashmiris, to sit together and with a mind to strike out a solution, consistent with the genius of Kashmir, decide and take the first effective steps which will ultimately lead to a settlement for all time to come.

By his letter dated March 3, 1964, Shri V.J. Moore, for

Secretary to the President, acknowledged the receipt of my letter.

I wrote to you, Mr. Chairman, in my letter dated 10-8-64, that "we have to inform the peoples of the Sub-continent that the mind and body of Kashmir as a collective whole, is a cultural entity, a social type imbued with native patriotism and a deep and inalienable sense of belonging to the land of their birth, who have politically, culturally and socially held themselves distinct from the rest of the world. All the different facets of this socio-political picture of Kashmir are to be brought out vividly to provoke thought and sympathetic consideration of our problem by the world at large. The main features with which our destiny is linked may be classified under the following heads :

1. Geography of Kashmir and its determining influence on the socio-political destiny of this part of Asia.
2. Political personality of Kashmir in the bygone past.
3. Indigenous industries, crafts and trades, and immense deposits of over-ground and under-ground natural resources requiring exploitation with the aid and assistance of modern science and technology, ensuring economic welfare and prosperity of the people of Kashmir.
4. Socio-cultural collective identity of Kashmir.
5. Kashmir as bridge of peace between India and Pakistan with her geographical position to help keep at bay the great Asiatic powers in this part of the world.

As Chairman, India Pakistan Conciliation Group of Kashmir, on 27-12-1965, I wired to Late Prime Minister, Shri Lal Bahadur Shastri, while he was on his way to Tashkent, and invited his notice to the long, sweating struggle for political freedom suffered by the people here during the last forty years. In my telegram of 195 words, I humbly suggested "amity and understanding between India and Pakistan indispensable for social rehabilitation, economic reconstruction, moral and material progress, territorial integrity and cooperative co-existence of these two countries. All cherished values jeopardised by recent conflict. Creative and constructive genius of Sub-continent paralysed by pervading climate of insecurity, uncertainty, mistrust and want. No sacrifice too great to

relieve haggard and horror-stricken people from spectre of war and malignancy of hate, spite and fear. Wish you God speed and resolute will to resolve amicably India and Pakistan differences, guaranteeing Kashmir her rightful place and identity symbolic of her cultural heritage as sign-post of peace and brotherhood for whole world."

In the same capacity, pleading for the release of political prisoners, I reiterated in my letter of 4-2-1966 to the President of India that "for decades and decades together, we have struggled and suffered to achieve our birth right—the human right to be masters in our own home, of our own destiny—to live in our own way, and according to our genius."

The Deputy Secretary to the President acknowledged my letter vide his No. F-17/66-II, February 28, 1966.

In a statement issued by me on 25th of April, 1966, in aforesaid capacity, copy whereof was sent to the Prime-Minister under registered A.D. cover, it was endeavoured to get the attention of two governments of India and Pakistan focussed on the basic issue involved in the Kashmir dispute. It was stated in broad relief that "we have faith in the humanity embedded in the heart of the Sub-continent. We live for peace and tolerance. Kashmir is and has ever been an abode of saints and sages. We ask for our basic human right to live and grow in our own way as Nature appears to have designed our destiny through the ages. For decades together we have blazed the trail of martyrs to gain freedom from political subjugation, economic exploitation, social servitude and intellectual thralldom. With the advent of democratic polity in the Sub-continent and the dark and backward parts of Africa and Latin America, we have also awakened to our historic claim. It is our cherished aspiration to secure the identity of Kashmir, the paradise of Asia. To deny this right will be neither just, nor human."

I have had an occasion to talk to some public men of India visiting Srinagar from time to time. I recall two notices in this respect. One : my talk with the two Sarvodaya leaders, Shri Gobindrao Deshpandey and Shri Puran Chandar Jain. Second : my talk with the Swantantra delegation.

On 8th November, 1965, in reply to a question by Shri

Deshpandey asking me what solution I proposed for the settlement of Kashmir problem in view of the fact that Pakistan had committed aggression and India was not prepared to reopen the issue with that country, I expressly denied that Kashmir problem was a closed chapter. "The problem is not only open, but it is staring in the face and demands to be resolved without any further waste of time. To linger it on in its present condition means to invite further expense and loss of precious lives. India will gain nothing ultimately. Why cannot Kashmir be accorded independent status? For thousands of years, Kashmir has remained independent until she was subjugated by outsiders."

I discussed my thesis at some length with the Swatantra leaders Shri Dhayabhai Patel, Shri N. Dandekar, Sardar Basant Singh, Shri Ram Singh, and Shri B.P. Singh, who visited Srinagar in the 2nd week of November, 1965, had me for three days conversing with them on different aspects of the Kashmir problem. We met on 13th, 14th and 15th of November, 1965, at the Nedou's Hotel, Srinagar. The three days talk covered about seven hours. On 15th of November, 1965, at about 7.45 a.m. just before the delegation left the Hotel to board the plane for New Delhi, I have it in my jottings :

"Pakistan is out of court. Of course something is to be done with the people of Kashmir. What do you propose to settle it permanently?" Shri Dandekar asked in presence of his colleagues :

"Without mincing matters, I may tell you that Kashmir has arisen; it is awakened. Her soul cannot be subjugated. For centuries we have enjoyed independence and full sovereignty till our land was occupied by Pathans, Mughals, Sikhs and Dogras. Now, that democracy is the end-object of ever emerging nation, Kashmir cannot be long kept back from her rightful place in the comity of Nations." I replied.

"But how can you possibly preserve your independence? Shri Dandekar searchingly enquired." Internal insatibility, political rivalries and other things have often been noticed in these small countries. And then the bordering powers he tried to extend their tentacles deep into the affairs of these tiny

States. How would you resolve this difficulty. He waited for my reply.

"Smallness of size and the element of limitedness of resources or such other objections to the granting of recognition to Kashmir's independence, do not very much trouble my mind. Under the modern imperative of international interdependent defence, the guarantee of territorial integrity of member-States by the United Nations, and the international arrangement for financial assistance to the developing countries, the political concepts and apprehensions then prevailed in the nineteenth century or even in the first half of the twentieth century, bear no significance now and are obsolete. If the territorial integrity of small country were open to violation in spite of the pledge given to the member-States of the United Nations Organisation, then no other country would be safe under the lethal charge by nuclear weapons. An ICBM could hit the target at a distant of five thousand miles. Today there are 52 countries with population less than five million; 42 countries with population less than four million; 35 countries with population less than three million; 31 countries with population less than two and a half million; 24 countries with population less than two million : There are 26 countries which are land-locked. And the United Nations Organisation has set up a Commission to enquire into their needs and difficulties and international easement rights.

"About internal instability, statistics show that modern small States are more stable than the big ones, especially of the Federal sort. Democracy works well in a small country; the party caucus remains constantly under watchful and critical vigilance of the electorate. Excepting areas under colonial rule from where imperial brigandry is yet to be ousted, and where the people live in a state of civil war, there is comparatively more stability and better administration, less of corruption and more of democracy to be seen in all the small countries.

"Secondly, why should a bordering country attack our land? We will be at peace with all the world. We will have no designs on other peoples' territories. And if in spite of our policy of peace and non-interference in the affairs of other nations, any bordering country want-only assails our territorial integrity, it will mean a direct threat to the other neighbouring

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countries of Kashmir. Under a situation of this design, it does not matter whether Kashmir is big or small. Again, as a member of the U.N.O. Kashmir will be in a position to obtain assistance from the rest of the world. That will put to test the effectiveness of this world organisation. In my opinion, there is economic and political polarisation among Nation-States on a global scale; the small countries are the balancing weights of a sort of living guarantee for world peace. They hold in check the hunger of big powers to grab other peoples' lands. If two countries can exist, Kashmir can also surely exist unmolested. Every member-State of the United Nations is honour bound to respect and never to violate the territorial integrity of other member countries; and any and every dispute among the member-States would be decided and settled peacefully by negotiation, arbitration, mediation, etc. What applies to other similarly placed as Kashmir, will apply to her also. I do not find there is any difficulty to be encountered in declaring Kashmir an Independent Sovereign State."

"I follow your point. You mean that the honesty of the big powers, the integrity of their pledge is put to hard test in the presence of small nation-States since their sovereignty cannot be violated. And it helps maintain international balance of power and peace amongst the world countries. Shri Dandekar replied,

"Certainly that is my point."

He agreed with me that there was no difficulty about financial matters.

"And why not make Kashmir Asian Head-Quarters of the United Nations Organisation ?

Does not Kashmir deserve this honour ? Her beauty and hospitality are boundless.

Her green verdure is enchanting. We are simple and peace loving people. Kashmir has been the meeting-place of different cultures and nationalities. She can be enlisted as a home for the United Nations. Kashmir is the crown of the Sub-continent. As bridge of peace, she will counsel understanding and cooperation between India and Pakistan. She will be an abode of humanity for the whole world. We do not entertain any danger from foreign aggression. We will never commit aggression on

others. Why should others commit aggression on us ? And if this dream comes true, you can easily see how much wealth will flow into this poverty-stricken piece of land. We will build our land of God, the Paradise of Asia.

"Kindly look far into future. If India were to grant independence to Kashmir, great honour would come to her. She will be respected and listened to in the great councils of Nations. The people of Kashmir will be grateful to India for this magnanimous act of Gandhian statesmanship."

The delegation did not try to conceal their warmth with which they received my sentiments for my land of birth.

Mahatma Gandhi had a good reason to see a ray of light in Kashmir. He was in good company when he probed into the heart of the people here. The great indologist and Sanskrit scholar, M.A. Stein, has dug out an incident from the Nilamat Purana :

"In the Nilamat the legend is given as the answer of the sage Vaisampayana to a question from his interlocutor, King Janamejaya, as to why no ruler of Kashmir took part in the great war of the Kurus and Pandus. The object with which the question and its answer are introduced, is undoubtedly to emphasize the spiritual greatness of Kashmir and to account at the same time for the absence of any mention of the country and its ruler in connection with the 'Great War'." Reference Kalhana's Rajatarangini, Vol. I, pages 72-73, 1961 publication. Kashmir refrained from polluting her hands in the savage head-hunting of 1947, or at any other time, before or after.

In his Memoirs on the Ancient Geography of Kashmir, Vol II, Chapter III, page 388, the renowned research scholar records :

"Kashmir owes its historical unity and isolation to the same facts which give to its geographical position a distinct and in some respects almost unique character. We find here a fertile plain embedded among high mountain ranges, a Valley large enough to form a kingdom for itself and capable of supporting a highly developed civilisation. Its height above the sea, nowhere less than 5000 feet, and its peculiar position assure to it a climate equally free from the heat of India and the rigours

of cold peculiar to the higher mountain regions in the north and east."

We notice it with pride that Kashmir had more than a thousand years back evolved numismatic system based on decimal reckoning. We had our Frontier Guards, Foreign Ministers, a well-knit army, a tradition of tolerance and humanity, Arts and Sciences, learning and scholarship. Names like Lalitaditya, Avantivarma, Zain-ul-Abadin, commonly known as Badh Shah, will live as long as Kashmir continues to be identified by her name.

A solemn pledge has been given to the people of Kashmir—"They are sore with distress, and earnestly cherish to see their honour vindicated, their freedom restored to them and work manfully shoulder to shoulder with the peoples of the Sub-continent as sentinels of democracy, secularism, peace, humanity and progress all around."

PROPOSAL

SHYAMLAL YACHU

Before stating my view point with regard to the problem—Kashmir Problem—I think it is advisable to shed some light on the genesis of this Convention called All State People's Convention.

The Kashmir dispute arose side by side with the liberation of the sub-continent of India and Pakistan from the British yoke.

During these fateful twenty-three years, there emerged in Kashmir many organisations and parties, which used many stances and tried various strategies to get this dispute solved in accordance with the wishes of the people of the State. But with the passage of time, it became evident that all these stances and strategies proved unequal to the task leaving thus the dispute to linger on as did it linger ever before.

Some of our leaders, whose concern for the solution of this dispute nobody can question, pondered over this situation and finally arrived at the conclusion that all the right thinking persons of the State, no matter to what party they owed allegiance should meet together at one place and after duly deliberating over the problem suggest a way out of the present impasse. These leaders, who became the Conveners of this Convention, invited us here to put our heads together and bend our mental energies while pondering over the problem. Thus was born the All State People's Convention, the second session of which we are holding here today.

Were we really earnest in holding the Convention with a view to finding a lasting solution to the problem we have been confronted with all these years, we had to fulfil certain pre-requisites. The most important pre-requisite was that all the

parties, whose endeavours has ever been to seek a just solution to the Kashmir dispute, should suspend their activities at least till such time as the Convention arrived at some final conclusion. Let me state frankly that no party except the one to which I belong, observed this condition sine-qua-non for the success of the Convention. Of course, certain risks to the popularity of the parties were involved in the self-imposed moratorium on the political activities. But keeping in view the larger interests of the country, taking of such a risk would in every respect be a patriotic move, no matter whatever the judgement of a political activist would be. While such a pause in the political activities would provide an opportunity to all of us to concentrate on the problem in the atmosphere of calm, at the same time it would take the issue, out of the sentimental grooves. But unfortunately, our attitude remained of the nature of eating the cake and having it, too. This attitude naturally created a suspicion in the minds of those who have heads on their shoulders that we were not honest and earnest in our endeavour but were meeting here just for the fun of it or for the sake of doing some sort of mental gymnastic. Whether or not the suspicion is justified, it is there gaining more and more currency.

The second thing to which I wish to allude is that there has been a considerable time lag between the first session and the second one we are now holding here. Many delegates have not only forgotten as to what transpired in the first session, but the enthusiasm generated by it not only among them but in the country as a whole appears to have dampened.

These comments on the Convention may sound as a digression, but are important at any rate. Now let me come to the subject-proper.

In the paper I read in the first session, I have said without any equivocation that the people's solution is the best solution to a dispute in which the people themselves are deeply concerned. I still subscribe to that view. I feel that while such a solution is consistent with all the accepted canons of democracy, it, at the same time in no way contravenes the guide line laid down by the Steering Committee of this Convention or the resolution we adopted here in the last session. Let me state frankly, I

have no other solution in my mind. But at the same time let me declare without any let or hindrance that I shall not be averse to any other solution that might emerge here in this Convention but will consider it in all sincerity provided the same is based on our basic assumption that people are masters of their own destinies and that while solving the dispute the urges and aspirations of the people of the State are kept in view.

PROPOSAL

N.M. LODHI

Resolutions

1. K.L.C. will support every useful move leading to freedom from the present unwanted and abhorred domination.
2. Protest and resent the way the Kashmiris are being deprived from exercising their 'Right' of self-determination.
3. The only and just solution of the Kashmir issue is—as it has been promised and repeated by India time and again and also resolved by the United Nations that the future of Kashmir be decided by the Kashmiris themselves. This fundamental right must be restored and restored soon.
4. Restrictions on the movement inside the Kashmir be lifted, so that we can move freely within our own homeland.
5. Division of Kashmir will never be acceptable. A stern warning to this effect be given.
6. The nefarious activities of importing of the Hindu fanatics to change the balance of the existing population must be stopped.
7. Lastly, we still prefer peaceful solution of Kashmir, provided India comes forward with a similar sincere desire. It will be wise on her part to realise the wrongs done to us and now initiate to redress them. If this opportunity, provided by our leaders, is lost again, its consequences will be grave. No people have ever surrendered to a rule thrust upon them without their common will.

Best wishes to you all attending this historic session.

Please send us a copy of the resolutions passed in the convention.

"God be with you now and always !"

PROPOSAL

SYED SULTAN ALI SHAH

In its annual meeting held on 24th May, 1970, at Nottingham, The Kashmir Independent Movement, U.K., observed and witnessed :

(1) That since partition of British India, two neighbouring States of Bharat and Pakistan are aiming for yet another confrontation for more territory for themselves.

(2) That both countries have fought on *Runn of Kutch* border and continue their fight over Kashmir to establish their claims and counter claims that Jammu & Kashmir State is an integral part of one or other.

(3) That the right of self-determination and pledges given to the people of Kashmir have come to naught.

(4) That in all matters on Kashmir issue, pacts or discussions whatsoever, the people of Kashmir the real party, have never been included or consulted, it being always maintained as if it was a territorial dispute between India and Pakistan.

(5) That the territory of Kashmir State on the both sides of the cease-fire line is occupied and ruled by two alien powers without the consent and against the wishes of the people. In these territories, civil liberties, public life of any description, are virtually extinct. The legitimate political activities and freedom of speech or of press paralysed.

Judging by all such accounts and taking in view the so called prestige and tug-of-war between India and Pakistan, we believe that peace in the Sub-continent hinges on the solution of Kashmir issue and that the state of confrontation between India and Pakistan will not end without conceding to the people of Kashmir : their right of self-determination.

And that the ultimate political place of Kashmir ought not

to be decided by *New Delhi* or *Rawalpindi Islamabad*, but to be decided by Kashmiris, themselves.

It is now for us the people of Kashmir and those who are taking part in the Jammu & Kashmir People's Convention, to set aside the outdated hackened arguments based on religion, culture, geography or economic aspect of "OLD KASHMIR" as advanced by India or Pakistan.

We affirm our belief that sovereignty rest with the people and that they alone can decide their own future and therefore we do not believe in a conditional plebiscite which limits the choice of decision to accession to India and Pakistan alone.

We are convinced that India will never agree on the formula of 'A free and impartial plebiscite' as envisaged in the United Nations Res. :

We believe that the majority of the inhabitants of Jammu & Kashmir irrespective of the religion, race or creed are prepared to opt for :

A Free and Independent Kashmir

and that we should continue to redouble our efforts towards intensifying war of liberation and seek support from the freedom loving and democratic nations of the world.

PROPOSAL

A. CHAUHAN

We had an urgent joint meeting this 'afternoon with two Committee Members, of the above Committee and "Kashmir Relief Association", and discussed the whole contents of the letter. It is proposed and unanimously carried as follows :

1. "Whereas we welcome the holding of Jammu & Kashmir State People's Convention in Srinagar and pledge our full moral, political and economic support to this noble cause of this Convention.

2. We assure and pledge always strong backing to our reverend leader Sher-E-Kashmir Sheikh Mohammed Abdullah, and his colleague Mirza Mohammed Afzal Beg and his party, Kashmir Plebiscite Front.

3. We give whole-hearted assurance that whatever this Convention proposes or passes for Kashmir cause, will be acceptable and backed by us all.

4. Whereas, we have made clear in resolution No. 3, our support to the outcome of Convention, we forward our few suggestions, although they are not binding resolutions. We are listing them in case they are of any help to you.

5. Kashmir problem is a stalemate for the last 23 years due to unreasonable stubbornness of India and Pakistan whereas most sufferers and losers are Kashmiris, and this local problem is being dragged into International surface ; it is better to try to solve this problem amicably and for the best interests of Kashmiris, and to respect the involvement of India and Pakistan in it. It is our opinion or suggestion on these lines to solve the problem :

(i) Kashmir's sovereignty to be safeguarded. Kashmir's nationality to be recognised by World Nations.

(ii) Kashmir to be a sovereign state, though under special relations or outside control jointly by Pakistan and India for a certain limited period of years.

To attain agreements by both Governments that Kashmir be divided in three parts or provinces, under Kashmir National Government—

- (1) Province of Jammu and Ladakh.
- (2) Present Azad Kashmir Area or upto Rajouri and Mender Area.
- (3) Kashmir Valley and Gilgit, Baltistan, and adjoining Area.

Certain special facilities to be granted to provinces but under direct control of National Government.

(iii) Constitution of the State to be framed to meet modern and present life. Possibly non-religious and equal rights to all Kashmir Nationals irrespective of religion.

Democratic Constitution, not as broad and widely democratic as India, and not so limited and confined as Pakistan. A way in between.

President as the Head of the Constitution and Country and Prime Minister as Head of Cabinet.

We hope these suggestions are of help to our way of thinking.

Thanking you and assuring you of our full support."

PROPOSAL

GHULAM HASSAN KHAN

We met here on October 17, 1968 and passed a resolution instructing the Steering Committee to tabulate the material presented then as early as possible. It was expected that the tabulated material would be presented and discussed at an early date but we are meeting here after one year and seven months. With this speed people, who had pinned their faith on this Convention, must be feeling frustrated. I, for one, can no longer blame the U.N. or, for that matter India and Pakistan, for not taking the issue seriously when we, who are directly affected, give ourselves the impression of being so slow, carefree and casual.

We have now been asked to formulate, in the light of the material already received, our individual proposal in clear, brief and precise terms, for submission to this second plenary session of the Convention. When I received this directive I could not understand why those who have submitted their views in the first Convention in clear and precise terms have been asked to do so gain. But I interpreted this directive to mean that, having regard to diverse views expressed. We may try to work out a common formula on which there can be a broad agreement. Therefore I complied with the directive.

My proposal is in two parts.

Part I deals with Documents A, B and C, circulated by the Steering Committee, and which are intended to become a part of approved proceedings. I have suggested some changes in them. The amendments will remove factual errors that have crept into the documents, improve the language to remove causes of irritation, and eliminate material which is irrelevant, redundant or unwarranted in the light of our terms of reference. I shall not waste our valuable time in giving detailed elucidation.

tion of the suggested changes until I am asked to do so. The statement accompanying the amendments is self-explanatory to some extent.

Part II is a Resolution which I commend to this Convention for acceptance. It is based on the following principles already accepted at the first Convention of October 1968.

1. The Solution must be Acceptable to the People of the State.

It means that a couple of hundred people assembled here cannot delegate to themselves the authority to voice the wishes of the people living in Gilgit, Skardu, Kargil, Ladakh, Azad Kashmir and even of all sections of the people of rest of the State. Nor can a solution suggested by a group of legislators, or a group of politicians, no matter how eminent their position or how glorious their past service, be considered as representing the people's wishes. It follows, therefore, that the solution acceptable to the State people, will be one that is expressed by a free and impartial plebiscite of all the adult subjects of the entire State.

2. The Solution must be Democratic

Plebiscite is the most democratic method evolved by man so far.

3. The Interests of all the Regions must be Borne in Mind

This can be done by holding the plebiscite by zones. Any zone of any unit must be free to accede to India or to Pakistan.

The regional interests can, also, be safeguarded by delegating maximum possible autonomy to the Units.

4. The Solution must be just

Justice demands that the minorities are not subjected to a harsh rule of a brute majority. They must be guaranteed security of life, property, means of livelihood, honour, culture, freedom of conscience and faith not merely by paper decisions but by physical factors. The citizens must be free to move about in all parts of the State freely and without restrictions,

with permits issued by the State authorities. For going outside the State limits visas of the countries concerned shall be obtained. For entry into the State Non-State Subjects must be obliged to possess Entry Permits issued by the State authorities. They should be free to give religious instruction as they like without State interference. They must be free to choose their own representatives. They must be free to decide where and how to live, as a part of an ethnic enclave or as part of the larger society. They must be free to dispose of their property as they like. They must be given due respect and weightage. They must be encouraged to tabulate and present for acceptance what guarantees they would like to be given to them.

5. The Solution must be Realistic

It is unrealistic for India and Pakistan to claim that the territories they hold now are a part of theirs or that they are there because of the free will of the State people. It is realistic to realize that, in the presence of brute force, the State has become a vast Military Cantonment, and the State people are unable even to move about freely in their own home State. It is realism to know that the ultimate decision must be one that is acceptable to all the regions of the State and that brute force will not lead to a realistic solution. It is realistic to know that one's body, not his head and heart, can be held by force and tactics.

6. The Solution must be lasting

It clearly means that Pakistan and India, whose relations have become so strained because of this dispute, and who have, so far, fought twice because of this dispute, must accept the solution with grace and, that, neither party should feel as humbled.

The Supreme Council, that is suggested to administer the State until its final disposition, must have India and Pakistan duly represented on it, under the Chairmanship of the U.N.

The solution will be lasting when it is evolved by the people of the entire State and, finally it will be lasting when the World

body, the U.N., upholds this decision as having been expressed freely by the people of the State.

7. The Solution must be achieved by Peaceful means

It means that all armies and police and officers and officials who are not subjects of the State and all Non-State subject people must vacate the State territories to allow the State people to work out their own destiny without intimidation, force, coercion or undesirable pressure tactics.

The U.N. it is suggested must look after the defence and development of the State until the State is put on its legs.

Let good sense prevail. Autocracy, Colonialism, economic and cultural strangulation create strife and bitterness. Let humanity live in peace and glory. Let Pakistan and India prosper and flourish. Let the bitter chapter of the past 23 years be now closed.

Let us pray to God Almighty that He, in His Eternal Grace, puts His Fear in the rulers of India, Pakistan and Kashmir so that they allow the truncated State to rejoin for shaping their future as it suits their needs, their interests and their genius.

Let us pray to God Almighty that He, in His Eternal Grace, blesses us, the State subjects, with wisdom and clear vision to subordinate our personal and party interests to the interests of the millions of down-trodden citizens of the State so that we unite as one man, forgetting our past bitterness and mistakes, and that we give up the role of Mighty to say and adopt the role of Mighty to do.

Resolution

1. (i) Having considered the various views expressed in writing and orally by several members of the J & K State People's Convention, in its first session held at Srinagar on October 17, 1968.

(ii) having due regard to Resolution passed by the said Convention which reaffirmed the principle that a solution of the problem, acceptable to the people of the State, keeping in view the interests of all regions, can alone resolve the dispute and

restore normalcy and tranquillity in Jammu and Kashmir State and, also, in the sub-continent.

(iii) bearing in mind the fact that the solution must be democratic, just, realistic and lasting and that it should be achieved by peaceful means.

2. This Second Session of the J & K State People's Convention, after due deliberations and consideration of the material put up by the Steering Committee vide Documents B and C, as amended by the Convention, resolves as under :

(i) A peaceful, democratic, just, realistic and lasting solution is one that will reaffirm the principle enshrined in the Security Council resolution of 1948, 1950, 1951 and uncipl resolution of August 1948 and January 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the U.N.

(ii) For achieving this objective it is imperative that a Supreme Council is set-up, under the Chairmanship of the U.N. in consultation with the people of the State and the Governments of India and Pakistan, to administer the State, initially for a period of 10 years, as an Independent Federal Republican State with semi-autonomous units comprising of

1. Northern Unit,
2. Kashmir Unit,
3. Western Unit and
4. Southern Unit.

(iii) Details will be worked out and supervision exercised by the said Supreme Council composed of members as under :

U.N.	1	Chairman
India	1	
Pakistan	1	
Nothern Unit	2	
Kashmir Unit	2	
Western Unit	2	
Southern Unit	2	

(iv) Defence and development will be the responsibility of the U.N.O. until the final disposition of the State takes place and 5 to 10 years, thereafter, at the request of the Supreme Council.

(v) The final disposition will be decided by means of Zonal plebiscite, the zones having the option to secede from the State and accede to Pakistan or to India.

3. Meanwhile the people of the State will be allowed to choose their real representatives, by the Govts. of India and Pakistan, by means of fair elections, without imposing the condition of oath-taking for allegiance to existing constitutions of the Governments and without prejudice to final disposition of the State.

4. The Govts. of India and Pakistan will remove all restrictions on free travel of the State subjects within the State and will throw open all the highways and waterways to pre-1947 uses of the State.

5. The Govts. of India and Pakistan will, straightaway, start reducing their armed forces posted within the State and replacing them by the State subject forces, drawn from the 4 units, in proportion to their population strength.

6. The Govts. of India and Pakistan shall renew their efforts for resolving their outstanding differences between their two countries on Kashmir and other related matters so as to enable them to live side by side in peace and friendship and for reaching an honourable and equitable solution, bearing in mind the fundamental principle that the final authority vests with the people of the State whose wishes they both must respect and that their own good lies in respecting their wishes."

PROPOSAL

ABDUL RASHEED DAR

I herewith present this paper incorporating my proposal for the political solution of the Kashmir issue in regard to the State's accession issue or non-accession of the State of Jammu and Kashmir. I am heading the Students Organization known as Youngmen's League Students Federation. It is to the credit of this organisation that dozens of its members, most of them teen agers, have gone through the rigorous of monstrous law of preventive detention, and otherwise suffered for our convictions. Three of our dear colleagues (Bashir Ahmed, Nisar Ahmad and Mohd. Anwar) laid down their dear lives in 1967 when they fell to Police bullets. Our objective is to secure right of self-determination for the suppressed five million people of the State, through free and fair plebiscite in order to settle the future of Kashmir. To that end my organization is irrevocably dedicated.

Twenty-two years stalemate has inflicted incalculable suffering on the people. We are ruled by monstrous laws like Enemy Agents Ordinance, Preventive Detention, The Security Act etc., which are used to stifle the legitimate voice of the people. The bare rudiments of democracy are denied to us. This was exemplified in the Kashmir Panchayat elections in 1969 when the State's largest political party i.e. The Plebiscite Front—contested these elections against the ruling regime. Unabashed fraud was committed on the voters, on a wide scale of which any civilised country shall feel ashamed. The Youth and Students are frustrated as their future is bleak. There is widespread unemployment and pathetic poverty which is eating into the vitals of the growing generation. There is no industrial progress. On the contrary old industries are sinking and shrinking thereby swelling the ranks of the unemployed, and

causing abject misery. Our state is disrupted by an artificial Cease-fire-line, foisted on us by a military decision. This inhuman decision has separated father from son, and wife from husband, and our brothers across the line are cut off their home and hearth. This has created a human problem for us. The armies of India and Pakistan are confronting each other across the Cease-Fire-Line and the uneasy peace hangs by a thin thread. Any incident may spark off into a devastating war engulfing the subcontinent, which may wipe out Kashmir altogether.

Provisional Solution

With a view to stop the fast deteriorating situation indicated above I suggest as follows :

(a) The State of Jammu and Kashmir should be granted complete independence, guaranteed by the U.N.O. Defence should be controlled by a joint board by India, Pakistan and Kashmir,

Or

(b) The State may be put under a U.N.O. mandate for 10 to 15 years.

N.B. The proposal is realistic for the following reasons :

Since 1953 when there was a coup, resulting in murder of democracy, the confidence of people of Kashmir in India's fair play and democracy is shaken and shattered beyond repair. India's policy in Kashmir has totally not only failed to win our people, but also aggravated the situation. There is a swing towards Pakistan in Kashmir including Doda District and Gulabgarh Gool and areas of military suppressed Rajouri and Poonch. On the other hand a merger with India has increased in Jammu Plains.

Keeping in view the above opposite trends, my proposal suggest a via-media for adjustment of these trends and takes note of all the regions of the State, as far as the circumstances permit.

The proposal also takes note of the feelings of our brethren

in Azad Kashmir, as far as they are reported in the press and privately.

The proposal if agreed to should be placed before India and Pakistan Governments, with a view to secure their consent. Thereafter free vote of the people should be sought to get the proposal endorsed in a referendum.

The proposal also envisages registration by the U.N. generous developmental aid by that body.

We wish you all success.

PROPOSAL

KH. HASSAN MOHD. WANI

My viewpoints regarding the best solution of the Kashmir Problem is that the State must remain independent having close brotherly and friendly relationship with the both neighbouring dominions India and Pakistan and all the roads to Pakistan and India must be left open for free pass of the inhabitants of the State and also of the both countries India and Pakistan.

There must be assurance to us that no country will open war on us and if any third party will open fire on us at any time both the above countries shall stand by our side jointly at that time.

PROPOSAL

SYED MANZOOR AHMAD

It is a matter of pleasure for us all to have met here again to express our free and frank opinions on the existing problem of Kashmir. But I believe that had the delegates from the other side of Kashmir also been allowed to participate in the proceedings of this house the job of resolving this problem would have become easier. Now having regard for the resolution where it has been maintained that a solution to the problem should be just, peaceful, democratic, lasting and realistic, I am personally of the opinion that the dispute can be resolved only by making the state of Jammu & Kashmir an independent federal State. But to realise this objective, the following pre-requisites must be fulfilled :

1. Free and fair elections should be held so that a real representative government is formed.
2. Autonomy should be granted to the State which it was enjoying before Aug. 1953 within the framework of Constitution of India and in this connection all those laws that have been extended to the State after 1953 in violation of Art. 370 of Constitution of India should be withdrawn.
3. The State of Jammu & Kashmir should be allowed to have both trade and culture relations with Pakistan.

The above three enumerated provisions pertain to the part of Kashmir which is with India and so far as the other part of Kashmir which is with Pakistan is concerned over there should also fight for having a truly representative government which should decide the measure of autonomy within the Union of Pakistan.

So after these pre-requisites are fulfilled in both parts of Kashmir efforts should be made to promote and help better understanding of these two countries. This shall enable them to avail the opportunity for persuading both India and Pakistan to make the State of Jammu & Kashmir an independent federal State. This State of Jammu and Kashmir should comprise of the territory which was included in it before August 1947. The Structure of State should be on the following basis :

1. Internal structure.
2. External relations.

Internal structure

So far as the internal structure of the State would be concerned it should be in accordance with the broad outlines laid down by the Steering Committee in its document "C" namely Internal Constitutional set-up of Jammu & Kashmir State. The document "C" is confined only to the internal political structure of the State and does not make any mention about the economic set-up. Here I will mention that the economic structure of the State should be such which shall not provide any opportunity to rich people to become more richer and poor people more poorer.

External relations

The external relations of the State viz., India and Pakistan should be on the following pattern :

- (A) The country of Pakistan and India should enter into a treaty with the State of Jammu & Kashmir to the effect that they shall not interfere with the internal administration of the State.
- (B) These two countries should also agree that they shall not use the territory of Jammu & Kashmir for any military confrontation.
- (C) Similarly the State of Jammu & Kashmir should enter into an agreement with these two countries that it shall not indulge in any such activity which shall result in the bitter relation of these two countries.

PROPOSAL

GHULAM MOHIUDIN HAMDANI

As regards the internal constitutional set-up of J & K State as envisaged in document C, it should be taken up only when the basic issue of accession which has become an oozing sore and is eating into the very vitals of the entire body-politic of the Indian Sub-Continent is peacefully and honourably decided by India, Pakistan and the people of the State. In this behalf I further want to elaborate my viewpoint briefly. Even in 1953 there were two schools of thought in the State Consenbly. One of them was in favour of finalizing the constitution immediately without waiting for the disposal of the basic issue of accession with the argument that it should be left to the Centre while the other group stood for first accession and then constitution. I cannot imagine how the internal set-up will be a success as long as the basic issue is unresolved.

As regards the political solution of the problem of J & K State, I have already expressed myself before the first delegates session of the J & K State Peoples Convention held in October 1968 at Mujahid Manzil, Srinagar. For the sake of brevity, I would not like to repeat the recorded solemn pledges given to the people of the State both on the National as well as on the International Forums for their right to determine their own future affiliations. I would very humbly submit that to me and to many more others thinking likewise, Kashmir is essentially a tourist resort. The State is generally lacking in industry, Communications etc. in this age of technology. The people on the whole being poor and in the face of the present high cost of living when the State and especially the Valley almost remains cut off from the outside world for about six months during the winter, we must be friendly towards all. Not only this much

but no realist should shut his eyes against the fact that there are three contesting parties viz. India, Pakistan and the State's people to the dispute. I am convinced that there cannot be any real and lasting peace in the area unless all the concerned parties and their leaders while forgetting their past bickerings and just in the larger interests of the peace and progress of the entire Sub-continent and its people sit together in an accommodating spirit and get the dispute resolved honourably once for all. In my humble opinion the State must be friendly both with India and Pakistan and to achieve this end the following interim steps as suggested by me before the Convention in 1968 should be taken forthwith.

(a) On the basis of the present 75 constituencies on this side of the State and after creating 25 similar constituencies on the otherside of the Cease-fire line including Gilgit, Hunza and the other State areas as existed before 1947, a National Assembly with a specific declared purpose of determining the future of the State be convened through free and fair elections and all the participating parties to the elections should have complete freedom.

(b) After the said National Assembly is convened, the chosen representatives of the people should sit together and with the support of the Assembly work out details having due regard to the wishes and interests of all the people of all regions as envisaged in the resolution adopted on 17th of October 1968 and start negotiations with the representatives of both India and Pakistan.

(c) The term of the National Assembly must be for five years and the State must maintain friendly relations both with India and Pakistan, and the defence of the State should be their joint responsibility.

(d) A resident of the J & K State should have dual nationality i.e. he should be treated a national of both India and Pakistan.

(e) The trade routes and the high way closed due to the dispute which has paralysed the economy of the State must be left open immediately.

(f) The bulk of the armed forces numbering lacks on either side of the Cease-fire line whose presence has seriously

effected the progress of crores of downtrodden people must be withdrawn and only a small force of Militia should be retained for maintaining peace.

(g) The visa system must be done away with and the States people must enjoy free travel and trade facilities and all undeserved restrictions in this behalf must be removed.

(h) All political prisoners must be released and while repealing all emergency laws civil liberties must be restored but damaging of the Government, public and private properties and arson, loot and indulgence in communal riots must be penalised.

PROPOSAL

GHULAM HASSAN KANT

1. Free elections to J & K (Indian occupied) State: Assembly and formation of a representative Govt. to conduct the internal administration.
2. Restoration of 1947 position with regard to the internal autonomy of the State.
3. The Govt. thus formed will take steps towards restoration of traffic and trade on Srinagar-Rawalpindi Road.
4. Withdrawal of Indian Police personnel from all parts of the State and replaced by State Militia and lessen the number of Indo-Pakistan troops on the Cease-Fire-Line.
5. Movement of Pakistani and Indian people in each others country on easy permit basis, for which both the Indian and Pakistani Governments be moved.
6. India and Pakistan be compelled to reunite the two parts of the State for which a campaign in both parts of the State be arranged.
7. People in both of the parts of the State should have freedom of speech, press and platform in any corner of the State.
8. After the State reunites, Indian and Pakistani troops be withdrawn completely from the Cease-Fire-Line, and fresh elections held throughout the State (reunited) to form a new representative Govt., giving autonomous status to the three units viz Kashmir, Jammu & Frontier Illaqs.
9. During interim period the State (united) will have joint relationship with India and Pakistan with regard to defence, communication and external affairs.

10. The supreme function of this new Govt. will be to find out the lasting solution of the State by arranging Round Table Conference of the representatives of the State Govt. and the Governments of India and Pakistan and the solution thus arrived at be subject to the final approval of the people of the State.

PROPOSAL

B.N. PESTONJEE

With reference to your letter of January, 1970, sending therewith the different views expressed by the different representatives at the last convention duly tabulated as per document 'B', I have given very serious thought to the different proposals and suggestions contained in the above document. One of the proposals and/or suggestions appears sound, i.e. coming to an understanding with India, but it has to be examined if same could be implemented under the present existing conditions and/or and workable and whether we have necessary means to have these proposal implemented.

I will try to analyse the different proposals separately herebelow and then would submit at the end, some suggestions for consideration by the General Body. I may also add that it cannot be denied that the Kashmir Problem has got to be solved. To say that there exists no Kashmir Problem is wishful thinking.

(a) *Settlement through Plebiscite*

The pre-requisites as detailed in the above proposal are not workable, specially the following conditions :

- (1) India would never agree to a Plebiscite, as it has done all these years. With the close co-operation of India this proposition could not be implemented.
- (2) Neither India nor Pakistan would ever agree to withdraw their troops from the State and/or allow any outside troops to enter the State.
- (3) Nor would the Governments of India or Pakistan allow the U.N. to hold the charge of the State.

Besides the above three conditions, the other conditions mentioned under this head could not also be implemented. Such, under the existing conditions, there are no chances for the Kashmir Problem to be solved by a Plebiscite.

(b) *Accession to India*

This Proposal is sound. The only difficulty about this is that the majority community in its present mood will not allow the Central Government to concede to conditions 2, 3, 9, 11 and 12. Also it is evident that Pakistan would not agree to condition 8, re : keeping the inviolability of the autonomy.

In my view, from the prevailing trend in India, the majority community would never agree for the majority community in Kashmir to having any special privilege, nor would the Indian Government agree to nullify the changes in Article 370 made after 1953 and/or restore the autonomy of the State as it was in 1947.

(c) *Accession to Pakistan*

Unless Pakistan has enough strength to push out the Indian troops, and the existing authorities, this proposition is just an idle dream. Nor has Pakistan the means to achieve that object.

Besides, to think of accession to Pakistan, without having any idea or assurances as to how Pakistan would treat the Kashmiri Muslims is suicidal. Our past experience gives enough evidence that the lot the majority community in Kashmir would be that of slaves.

(d) *Independence for the State*

It is unimaginable that the Indian Government would allow the State to have an independent status. Besides, the State has not the resources to remain independent. For argument's sake and argument's sake only, even if India concedes to give that status to State, what is the guarantee that Pakistan or any other neighbouring country would honour the commitment.

It is futile to think of an independent state unless all pre-requisite conditions are agreed upon by all the three parties which under the present prevailing conditions does not seem probable.

(e) *Interim arrangements with final solution after a specific period*

It is unthinkable that the Indian Government would, under any circumstances allow the State to be under any other control or power or under the United Nations supervision. It would allow an army of even friendly countries to enter the State, and in fact, no self-respecting country would allow the army of other countries to enter its territory—hence this idea does not stand the test.

(f) *Some other methods of solving the problem*

The different proposals mentioned under this head are not workable and it would be futile to discuss or go into the details.

There are many fundamental existing weaknesses which should be tackled in the first instance. Amongst the foremost of these are :

- (i) Disunity amongst the majority Muslim community in Kashmir.
- (ii) Deep-rooted mistrust between the people of Kashmir, Jammu and Ladakh.

The above are two great hurdles and Kashmir leaders should first see that unity amongst themselves is developed and confidence created in the people of Jammu and Ladakh.

In 1931, 1947 and partly in 1953, the masses then have had no personal vested interests and hence the leaders had their whole-hearted support. Now the masses have huge vested interests and I feel they would not allow their interests to be jeopardised.

Kashmir has joined India and it is not possible to recede from the decision taken. As I had stated in my last paper, the Indian Government on political grounds has not kept the

earlier promises. I personally believe that it was due to their losing trust in the leaders of Kashmir—whether this was due to actual facts or not is besides the point. Secondly I believe that the Hindus in the State have not reconciled to the changed conditions since 1947.

A lot of bickering could be overcome if Jammu and Kashmir are given by the Centre, complete and independent autonomy and be independent of each other, and Ladakh be administered by the Centre.

The present cease-fire-line should be made the permanent boundaries, as the real inhabitants of that part are not real Kashmiris, and those real Kashmiris who had migrated to Pakistan be allowed to come back home within a certain period, and under certain conditions, if they so desire.

The Indian Government should not hesitate to introduce the above reforms and once the Kashmiris are satisfied by the arrangement, there would be no Kashmir Problem, irrespective of what Pakistan may say or do. India has enough armed strength to keep back any aggressive action of any neighbouring country and more than enough armed police force to keep down anti-social elements.

The above objectives could be achieved only if the Kashmir leadership is able to muster unity and to foster in the masses unity of purpose, which they should manifest at the time of the General Election in 1972—and to that end the leaders should divert all their energies unitedly to train and educate the masses, and in a democratic set up, the Will of the Masses is the Will of God.

The first of these is the fact that the
 government has been unable to raise
 the necessary funds to carry out
 its policy. This is due to a
 combination of factors, including
 the high cost of the war and the
 fact that the government has been
 unable to raise the necessary funds
 to carry out its policy. This is
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 to carry out its policy.

PART III
DOCUMENTS (Urdu)

LIST OF DOCUMENTS

1. Masalai Ilhaqi Kashmir : Maulana Mohd Bashirudin
2. Speech Majalis Amal : Gh. Hassan Inquilabi
3. Proposal : Mohd Sultan Kirmani
4. Proposal : Hakeem Ghulam Hussain
5. Proposal : Karam Chand Petrol
6. Proposal : Sofi Mohd Akbar
7. Proposal : Raj Kumar Gastapo
8. Proposal : Bhagat Dooni Chand
9. Proposal : Alau-u-din Mir
10. Proposal : Abdul Smad Tak
11. Proposal : Sofi Ghulam Qadir
12. Proposal : Pir Abdul Gani
13. Proposal : Ghulam Rasool Shah
14. Proposal : Jaswant Singh Tajer
15. Proposal : Abdul Salam Deva
16. Proposal : Gh. Nabi Wani
17. Proposal : Gh. Hassan Inquilabi
18. Proposal : Abdul Gani Shah Veeri
19. Proposal : Kh. Ghulam Ahmad Pakhliwal
20. Proposal : Sardar Bachan Singh Panchi
21. Proposal : Mohd Ahsan Wani
22. Proposal : Abdul Gani Masat Feridi
23. Proposal : Mohd Ismail Mujahid
24. Proposal : Abdul Aziz Kashmiri
25. Proposal : Sudradhin Mujahid
26. Proposal : Ghulam Ahmad Mir
27. Proposal : Mohd Rashiduddin Mufti Azim
28. Proposal : Pirzada Ali Shah
29. Proposal : Gh. Mohd Thukar

30. Proposal : Gh. Nabi Khayal
31. Proposal : Gh. Rasool
32. Proposal : Molvi Mohd Yaseen Hamdani
33. Proposal : Perzada Badruddin
34. Proposal : Mohd Noorudin
35. Proposal : Madan Lal
36. Proposal : Kh. Abdul Qadir
37. Proposal : Syed Gh. Mohiudin Jeelani
38. Proposal : Mohd Yaqoob Beg

دستاویز ۱

”مسئلہ الحاق کشمیر“

ریاست جموں و کشمیر کے مفتی اعظم ”مولانا محمد بشیر الدین صاحب“
کا وہ مقالہ جو انھوں نے ٹیٹ پیپر کنونشن کے دوسرے اجلاس منعقدہ ماہ جون
۱۹۷۰ء میں پڑھا۔

گورنر جنرل کی حیثیت میں کشمیر میں آکر مہاراجہ کو دیا تھا۔ جس میں اس نے ریاست کو پاکستان کے ساتھ ملحق کرنے کی خواہش ظاہر کی تھی۔ مہاراجہ ہری سنگھ نے انتہائی بدحواسی کے عالم میں ریاست کا رشتہ الحاق عارضی طور پر ہند کے ساتھ وابط کیا۔ اگرچہ ان کا فیصلہ حقیقت پسندی اور حقیقت شناسی پر اس وقت مہول کیا گیا۔ اس کے غامض وجوہات یہی ہو سکتے ہیں۔ کیونکہ ریاست جوں و کشمیر کی سیاسی جماعت نیشنل کانفرنس، انڈین کانگریس کے ساتھ مضبوط اور مستحکم تعلقات قائم کئے ہوئے تھی۔ پنڈت جواہر لال نہرو جیسی عظیم شخصیت کی پشت پناہی ان کو حاصل تھی۔ پنڈت جی نے شیخ عبداللہ کی حمایت کے لئے مہاراجہ کی دھمکیوں اور اس کے حراست میں لینے کے انتظامات مکمل کئے جانے کے باوجود اپنے آپ کو کوہاٹ پہل پار کرنے کے بعد اپنی چھاتی سنگینوں پر رکھ کر نیشنل کانفرنس تائید اور قیام اور عدم کو اپنی ہمدردی کا ثبوت عملی میدان میں فراہم کیا تھا۔ نیشنل کانفرنس نے اسی لگاؤ اور رابطہ کے تحت ایک طرف پاکستان کے تئیں متغیر اور شدید رد عمل کا مظاہرہ کیا اور دوسری طرف اس جذبہ کے تحت وہ ہندوستان کے ساتھ ہی ملنے کے متمنی اور خواہش مند تھے۔ چنانچہ مہاراجہ کا شخصی دقار حب مجروح ہو کر رہ گیا۔ تو اس نے ہندوستان کے ارباب اقتدار کے سامنے مدد کے لئے دامن پھیلائے اور حسب ذیل خط حکومت ہند کے گورنر جنرل کو ارسال کیا :-

Geographically my state is contiguous to both the dominions. It has vital economic and cultural links with both of them. Besides, my state has a common boundary with the Soviet Republic and China. In their

بسم اللہ الرحمن الرحیم

عزت مآب صدر کنونشن و معزز حضرات !

یہ سچہ حقیقت ہے۔ اس میں کسی قسم کا مبالغہ نہیں کہ ہندوستان کے تقسیم ہونے کے ساتھ ہی ریاست جوں و کشمیر کا تنازعہ بھی وجود میں آیا۔ ہندوستان آزاد ہوا۔ دو نئی مملکتیں بھارت اور پاکستان دنیا کے نقشے پر آگئیں۔ اس آزادی کے ساتھ ہندوستان کے کروڑوں انسانوں کو تباہی اور بربادی کا منہ دیکھنا پڑا۔ یاس و قنوطیت کے بادل ان کے دل و دماغ پر چھل گئے۔ بے شمار جانیں تلف ہوئیں۔ ریاستوں کے بارے میں یہ فیصلہ ہوا کہ ان دو مملکتوں کے ساتھ جس کے ساتھ وہ چاہیں اپنا مستقبل وابط کر سکتی ہیں۔

ریاست جوں و کشمیر کا مہاراجہ ہندو تھا۔ لیکن غالب اکثریت مسلمانوں کی تھی اور مہاراجہ کی خواہش بھی تھی کہ وہ ریاست کو آزاد سٹیٹ کا درجہ دیدے۔ اور اس نے لارڈ ماؤنٹ بیٹن کی اس رائے کو اور مشورہ کو ٹھکرا دیا تھا۔ جو اسے

EXTERNAL RELATIONS THE DOMINIONS, OF BOTH INDIA AND PAKISTAN CANNOT IGNORE THIS FACT.

I WANTED TO TAKE TIME TO DECIDE TO WHICH DOMINION I SHOULD ACCEDE, OR WHETHER IT IS NOT IN THE BEST INTERESTS OF BOTH THE DOMINIONS AND MY STATE TO STAND INDEPENDANT, OF COURSE WITH FRIENDLY AND CORDIAL RELATIONS WITH BOTH.

.... WITH THE CONDITIONS OBTAINING AT PRESENT IN MY STATE AND THE GREAT EMERGENCY OF THE SITUATION AS IT EXISTS, I HAVE NO OPTION BUT TO ASK FOR HELP FROM THE INDIAN DOMINION, NATURALLY THEY CAN NOT SEND THE HELP ASKED FOR BY ME WITHOUT MY STATE ACCEDING TO THE DOMINION OF INDIA. I HAVE ACCORDINGLY DECIDED TO DO SO AND I ATTACH THE INSTRUMENT OF ACCESSION FOR ACCEPTANCE BY YOUR GOVERNMENT.

مہاراجہ کی اس درخواست کے پیش نظر لارڈ ماؤنٹ بیٹن نے ہندوستان کے ساتھ اس الحاق کی پیشکش کو تسلیم اور منظور کیا اور حسب ذیل الفاظ میں

اس کی تصدیق کی گئی:-

.... IN THE SPECIAL CIRCUMSTANCES MENTIONED BY YOUR HIGHNESS MY GOVERNMENT HAVE DECIDED TO ACCEPT THE ACCESSION OF KASHMIR STATE TO THE DOMINION OF INDIA. IN CONSISTENCE WITH THEIR POLICY THAT IN THE CASE OF ANY STATE WHERE THE ISSUE OF ACCESSION HAS BEEN THE SUBJECT OF DISPUTE THE QUESTION OF ACCESSION SHOULD BE DECIDED IN ACCORDANCE WITH THE WISHES OF THE PEOPLE OF THE STATE. IT IS MY GOVERNMENT'S WISH THAT AS SOON AS LAW AND ORDER HAVE BEEN RESTORED IN KASHMIR AND HER SOIL CLEARED OF THE INVADER THE QUESTION OF THE STATE'S ACCESSION SHOULD BE SETTLED BY A REFERENCE TO THE PEOPLE.

اس مشروط اور عارضی ایجاب و قبول (OFFER AND ACCEPTANCE)

سے یہ بات متشرع ہے کہ مہاراجہ کا الحاق بدحواسی اور مجبوری کا نتیجہ تھا۔ چنانچہ اس الحاق کی توثیق لوگوں کی رائے عامہ کے ساتھ مشروط قرار دیا گیا اور مرکزی حکومت نے یہ بات ایک بار واضح کی کہ وہ ریاست کے حالات کے پیش نظر کسی قسم کا ناجائز فائدہ اٹھانے کے حق میں نہیں اور عدل و انصاف کا بھی یہی تقاضا تھا۔

اسی طرح ۳۱ دسمبر ۱۹۴۷ء میں بھی ہندوستان نے قریباً اس اسی فیصد کے ذریعے یہ بات دہرائی کہ ہندوستان کے ساتھ کشمیر کا الحاق تابع رائے شماری ہے اور رائے شماری ہی ایک حتمی اور آخری فیصلہ کے نفاذ کا حق رکھتا ہے۔

پنڈت جواہر لال نہرو جو مکمل با اختیار وزیر اعظم کی حیثیت رکھتے تھے، نے بار بار ہندوستان کے لاکھوں اور کروڑوں انسانوں کے سامنے اس بات کا اعلان کیا ہے کہ کشمیر کا الحاق ہندوستان کے ساتھ عارضی ہے۔

اقوام متحدہ کے اجلاس ۲۹ مارچ ۱۹۴۷ء اس بات کا ثبوت فراہم کر رہے ہیں اور اگست ۱۹۴۷ء میں ہندو پاک کے وزراء اعظم نے ایک مشترکہ اعلان میں دہرائی ہے جس کی طرف میں نے اس کنونشن کے پہلے اجلاس کے سامنے مودہ ۱۹ اکتوبر ۱۹۴۷ء میں پڑھتے ہوئے مقالہ میں اشارہ کیا ہے۔ اس کے علاوہ اور بھی بہت ساری قراردادیں تحریک اقوام متحدہ کی زیر نگرانی پاس ہوتی رہیں۔ یہ ایک تاریخی واقعہ اور اس حقیقت کو ہندوستان کے ارباب اختیار نظر انداز کرنے کی کوشش کر رہے ہیں۔

جناب شیخ محمد عبداللہ اور اس کے رفقاء کار نے ان ہی اعلانات کی وجہ سے ریاست کی سرزمین پر اقامت دار کی ذمہ داریاں سنبھالی جھٹکیں اور بالآخر چند تہذیبی بات کے پیش نظر وہ اس اقتدار کی کرسی پر تشریف فرما نہ رہ سکے بلکہ ان کو اسی کشمیش میں سبکدوش ہونے کے لئے مجبور کیا گیا۔

رائے شماری | کشمیر میں رائے شماری کوئی نرالی بات نہیں۔ رائے شماری ہندوستان کا نعرہ ہے اور خود ہندوستان نے رائے شماری کرنے کی ہر بار پیش کش کی۔ اب انحراف اور انکار کوئی وقت نہیں رکھتا اور حقیقت بھی یہی ہے کہ یہ نعرہ دیتے وقت ہندوستان کے ارباب اقتدار کے

مہاتما گاندھی جیسی عظیم شخصیت نے صاف اور واضح الفاظ میں اس حقیقت کا انکشاف کیا کہ یہ الحاق عارضی ہے اور اس کی توثیق کشمیر کے لوگوں کی رائے سے ہی ہو سکتی ہے۔

THAT THE ACCESSION WAS PROVISIONAL FOR AN IMPARCIAL PLEBISCITE BEING TAKING OF PLACE AMIR IRRESPECTIVE OF RELIGION.

اس کے بعد کشمیر کا مسئلہ جب زیادہ پیچیدہ بنتا گیا۔ تو سیکورٹی کونسل کے ایوانوں میں ہندو پاک کے لیڈروں کی گونج سنائی دی اور ہندوستانی وفد کے قائد سر گوبال ہوائی آہنگرنے جنوری ۱۹۴۸ء اپنے موقف پر بحث کرتے ہوئے زوردار الفاظ میں کہا:

THE ACCESSION SHOULD BE FINALLY SETTLED BY PLEBISCITE AS SOON AS PEACE HAS BEEN RESTORED.

اسی قسم کا ایک ریزولوشن یعنی قرارداد یونائیٹڈ نیشن کیشن نے ۳۱ اگست ۱۹۴۷ء اور ۶ جنوری ۱۹۴۹ء میں ہندو پاک کے لئے پاس کرائی تھی۔ اسی طرح جب کچھ ممبران ریاست جوں و کشمیر سے ہندوستان کی لوک سبھا کے لئے منتخب کئے گئے اور پاکستان نے ایک فریق کی حیثیت سے اس اقدام کے خلاف زبردست احتجاج کیا۔ لہذا اس کے جواب میں ہندوستان نے سیکورٹی کونسل کے ایوان میں اسی قسم کا جواب دے کر پھر ایک بار اطمینان کا سانس لیا تھا۔ آج بھی اس قرارداد کا جواب اور وہ الفاظ پکارے کانوں میں گونج رہے ہیں۔ جس میں یہی کہا گیا ہے کہ اس الحاق اور اس قسم کی لاشعری کا استحکام رائے عامہ پر منحصر ہے اور کچھ نہیں۔

آج تک دنیا میں ہندوستان کے بعد جتنے بھی ممالک آزاد ہوئے۔ ان کی آزادی کی بنیاد "RIGHT OF SELF DETERMINATION" پر قائم کی گئی اور اس کے خلاف کسی بھی ملک نے آواز نہیں اٹھائی۔ بلکہ دنیا کے ہر سے اور ہر گوشے سے اس آواز کے ساتھ آواز ملائی گئی۔ حتیٰ کہ خود ہندوستان بھی ایشیا اور افریقہ کے مختلف علاقوں کی آبادیوں کو حق رائے دہی کی تائید کرتا رہا۔ لے شماری اور "RIGHT OF SELF DETERMINATION" ایسی تجویز ہے۔ جو ٹھوس اور بجائے خود ایک وزن دار مقولیت اور بھرپور تجویز ہے۔ اس تجویز کے پیچھے خود ہندوستان کے ارباب دانش اور دنیا بھر کی بڑی بڑی شخصیتیں رہ چکی ہیں۔

نرالی منطق | یہ کہنا کہ رائے شماری سے یا کشمیری لوگوں کو حق خود ارادیت دینے سے تمام ہندوستان میں ایک زبردست خونِ غلابہ ہونے کا احتمال ہے ایسا پس میں کشیدگی اور منافرت پیدا ہو سکتی ہے۔ اس کا جواب میرے نزدیک یہی ہو سکتا ہے کہ اس قسم کی دلیل دینے سے اور اس قسم کے باتیں کرنے سے خود ہندوستان کے ارباب دانش اور ذمہ دار سیاست دان ہندوستان کے رہنے والوں کو اس بات کی طرف متوجہ کر رہے ہیں کہ اگر رائے شماری کے لئے کسی وقت فضا سازگار ہو بھی جائے تو اس وقت اس قسم کے حالات پیدا کئے جانے چاہئیں۔ تاکہ یہ معاملہ بچہ کھٹائی میں پڑ جائے۔

لیکن میں پوچھنا چاہتا ہوں کہ ہندوستان میں جو بربریت اور درندگی کا مظاہر ہو رہا ہے۔ اس کی وجوہات کیا ہیں؟ پچھلے ایک سال کے دوران صوبہ بہار اور فسادات صوبہ بہار میں چاہتا ہوں کہ فسادات کوئی رائے شماری کے مطالبے کا

ماننے اس کے بغیر اور کوئی حس نظر نہیں آ رہا تھا۔ اس لئے بہت سارے دنیا کے ممالک کے ذی شعور نمائندوں نے بالکل سوچ سمجھ کر سلامتی کونسل میں اس قرارداد اور تحریک کی پُر زور حمایت کی تھی۔

کشمیر کے لوگ بھی دل و جان سے اس فیصلے پر فرماند ہوئے۔ شاید پاکستان کے حق میں ان کی آواز نہ اٹھتی۔ مگر ہندوستان نے ایک طرف یہ نہ دیا۔ لیکن دوسری طرف ریاست کے لوگ جو آزادی کی روح سے نا آشنا تھے اور اب آزاد ماحول میں زندہ رہنا چاہتے تھے۔ لیکن ہندوستان کے مسلط کردہ حکمرانوں نے کشمیر کے لوگوں کے دلوں میں اور بھی زیادہ تقویت پیدا کیا۔ نتیجہ نکلا کہ ہندوستان کے خلاف اندر ہی اندر لاوا پکنا گیا۔ یہ واقعات اور مشارات ہیں۔ یہ کہہ کر کہ ہم پاکستان کی وکالت نہیں کرتے ہیں۔ نہ ہی پاکستان کے وکیل بن کر ہم ان کے حق میں بول رہے ہیں۔ مگر ہم حق کی ترجہ سامانی کر رہے ہیں اور حق تو یہ ہے کہ رائے شماری کا مطالبہ اس لئے زیادہ زور پکڑا گیا۔ کیونکہ ریاست کی غیر یقینی حالات میں ریاست کا خلفشار اقتصادی بدجالی اور ماحول تباہی و بربادی کا لازمی نتیجہ ہو سکتے ہیں۔ آج ریاست کا ذی شعور نوجوان اور عوامی طبقہ انھی غیر یقینی حالات کے پیش نظر یا تو اپنی زندگیاں کھو بیٹھا۔ یا مفلس و مظلوم ہو کر رہ گیا ہے۔

کشمیر میں رائے شماری کے لئے ماحول تیار کرنا خود ہندوستان کے ارباب اقتدار کا کام ہے اور یہ کہنا کہ رائے شماری کا مناسب اور موزون وقت مل گیا ہے اس میں کوئی مقولیت نہیں۔ اس وقت ہندوستان کے وسیع و عریض علاقے میں مختلف قسم کے جھگڑے نمودار ہوتے رہتے ہیں اور ان کا حل ڈھونڈ نکال کر ہی کر دیتے ہیں۔ اسی طرح کشمیر کا مسئلہ بھی رائے شماری سے ہی حل ہو سکتا ہے۔

کالٹ پھینکا جائے گا اور تم کشمیر کے لوگوں کو ان کی مرضی کے خلاف ہتھیاروں کے بل بوتے پر قابو میں لے آنا نہیں چاہتے ہیں اور اگر ریاست جوں و کشمیر کے لوگ بھی چاہیں کہ وہ تم سے جدا ہو جائیں۔ اس سے تم کو دکھ تو ہو گا۔ لیکن وہ اپنا راستہ لے سکتے ہیں۔“

لہذا اس بیان کی روشنی میں رائے شماری سے زیادہ عوزوں اور مناسب معقول حق و حقیقت صداقت پر مبنی کوئی حل نہیں ہو سکتا ہے۔ میری بھی رائے ہے اور کشمیر کے پیاس لاکھ فرزندان تو حید کی بھی یہی رائے ہے کہ کشمیر کے الحاق کا مسئلہ رائے شماری سے ہی حل ہونا چاہیے باقی اور کوئی تجویز رائے شماری کے متبادل نہیں ہو سکتی ہے۔ اس سلسلے میں ہندوستان کے کثیر الاشاعت روز نامہ ”دعوت“ ۱۹۶۳ء جو کچھ لکھی میں ہندو پاک گھٹگو کا تیسرا دور شروع ہو گیا کے عنوان کے تحت لکھا ہے۔ اس کے چند اقتباسات یہاں پر نقل کرنے مناسب رہیں گے۔ لکھا ہے :-

”تقسیم کشمیر کی تین تجاویز اعلیٰ محقوں میں گنت کر رہی ہیں۔ لیکن ان میں سے کوئی تجویز ایسی نہیں ہے جس کو رائے شماری کے متبادل طور پر پیش کیا جاسکتا۔ اس بات پر سچی تو متفق ہیں کہ لداخ و جوں کے علاقے ہندوستان کو ملنے چاہیں اور اس وقت پاکستان کے قبضہ میں جو علاقہ ہے۔ وہ بات اصرار کے حوالے کر دیا جائے۔ عام قیاس ہے کہ مظفر آباد پوچھ اور گلگت کے جن علاقوں پر قبضہ ہے۔ ہندوستان اس سے دستبردار ہو جائے گا۔ ان علاقوں میں اکثریت پنجابی مسلمانوں کی ہے۔ جگ بندی لائسنے ان اضلاع کو اس طرح تقسیم کر کے دکھا ہے کہ ان کی دولت سے فائدہ نہیں اٹھایا جاسکتا ہے اور ان حصوں کو پاکستان کو منتقلی سے جگ بندی لائن متحکم اور حقیقی بن جائے گی۔ یہ لائن پر پنجال کے ساتھ ساتھ ہو گی۔“

نتیجہ ہے یہ ایسے واقعات ہیں۔ جن کو بیان کرتے ہوئے وزیر داخلہ مسٹر جوتان ابدیدہ ہو گئے اور ہندوستان کے ایوان میں ایک ارتعاش پیدا ہوا۔

عزت مآب صدر کنونشن! میرے کہنے کا مطلب صرف یہ ہے کہ ہندوستان رائے شماری کا مطالبہ ٹالنے کے لئے جن خطرات و غدشات کو دلیل کے طور پر پیش کرنے کی سعی لاحاصل کر رہا ہے۔ وہ اس وقت بھی ہندوستان میں کسی نہ کسی مہلکہ کسی نہ کسی صورت میں پائی جاتی ہیں۔ ہندوستان کی فرقہ پرست جماعتیں اپنی حرکات و سکنات سے کشمیر کے لوگوں کو مجبور کر رہی ہیں کہ وہ اپنی جان و مال اور عزت کو غیر محفوظ سمجھ کر رائے شماری کے نعرے کی حمایت میں زیادہ سے زیادہ تعداد میں منظم ہو جائیں خود ہندوستان کے ارباب اقتدار اپنی غفلت اور فرقہ پرست عناصر کو کھلی ڈھیل دینے سے اور خوشگوار ماحول کو متعفن بنانے کی اجازت دینے سے پیدا کر رہے ہیں۔

میں یہ کہہ دینا چاہتا ہوں کہ کشمیر کا یہ متنازعہ فیہ مسئلہ صرف رائے شماری سے ہی حل ہو سکتا ہے اور رائے شماری صرف ایک واحد حل ہے جس کو اس مسئلے کے تینوں فرقہ ہندوستان پاکستان اور کشمیر کے لوگ تسلیم کر چکے ہیں اور یہی حل یقیناً مبنی بر حقیقت اور ہر لحاظ سے مکمل اور قابل تسلیم ہو سکتا ہے۔ ہندو پاک اور کشمیر کے لوگ اس حل کو منظور کر چکے ہیں۔

ہندوستان کے لیڈر آنجنہانی جواہر لال نہرو کی گونج اور مدائے بازگشت آج بھی ہندوستان کے ایوان میں سنائی دے رہی ہے۔ وہ کہتے ہیں۔ ”مسئلہ کشمیر ایک بین الاقوامی مسئلہ ہے“ آگے بڑھتے ہیں، ہم نے جو وعدہ کشمیر کے لوگوں کے ساتھ کیا ہوا ہے بلکہ جو وعدہ ہم نے دنیا کے لوگوں کے ساتھ کیا ہے کہ کشمیر کا الحاق کشمیر کے لوگوں کی مرضی کے مطابق یا تو ہندوستان کے ساتھ مصدقہ ہو جائے گا یا منسوخ ہو جائیگا۔ یا

راقم بھی موجود تھا۔

اسی طرح وزارتیں بدلنے یا کسی کے آنے جانے سے کشمیر کے مستقبل کا فیصلہ نہیں ہو سکتا۔ اس ریاست کی غالب اکثریت مسلمانوں کی ہے اور ان کے ساتھ ملازمتوں میں اور دیگر سرکاری یا نیم سرکاری اداروں میں جو بے انصافیاں ہوتی رہتی ہیں اور ان کے حقوق کو تلف کیا جاتا ہے۔ اس کی مثال ملنی بہت مشکل ہے۔ اسلئے ریاستی عوام کو امن و سکون کی زندگی میسر ہونے کا واحد مسئلہ شمار ہے اور اس حل کے پشت پر خود ہندوستان، پاکستان اور کشمیر کے لوگ اور اقوام متحدہ جیسی عظیم طاقتیں کھڑی ہیں۔

اور وادی کشمیر کے مستقبل کو یوں مرتب کیا گیا :-

”اگر ہندوستان اس کو تسلیم کرے کہ پاکستان کو جہلم پر کنٹرول حاصل ہونا چاہیے کہ وہ تقسیم کے مجوزہ لائن کو جگ بندی لائن کے پندرہ میل (بارہ میل) سے زیادہ مشرق میں کھینچے جانے کی اجازت دے۔ یہی وہ مقام ہے۔ جہاں دریائے جہلم دوبارہ پہاڑیوں میں داخل ہوتا ہے۔

امریکی تجویز یہ تھی کہ نئی سرحد درجھیل کے قریب سے گزرے گی۔ یہی وہ جگہ ہے۔ جہاں سے دریائے جہلم دوبارہ باقاعدہ دریا کی شکل میں ظاہر ہوتا ہے اور اس تجویز کی رو سے وادی بالکل تقسیم ہو جائے گی۔ ہندو اڑہ، اوڑی اور ٹیلوال، پاکستان کو ملیں گے اور سوپور و درجھیل کے شرقی حصہ پر ہندوستان قابض ہو گا۔۔۔ اور پاکستان سرنگر سے وادی کی تقسیم کا ارادہ رکھتا ہے۔

لیکن اس قسم کی تمام تجاویز وادی کے سینے میں خنجر پوسٹ کرنے کے مترادف ہیں اور ان کو رائے شماری کا متبادل نہیں کہا جاسکتا ہے۔ اسی طرح انتخابات میں شمولیت بھی ریاست کی موجودہ غیر یقینی صورت حال میں کوئی خوشگوار تبدیلی لانے کے لئے مدد و معاون ثابت نہیں ہو سکتی ہے۔ کیونکہ انتخابات سے جو حد اندلیاں منظرِ عام پر آچکی ہیں اور جو بدقیعزیاں ہوتی رہتی ہیں۔ تو ان تمام حالات میں کوئی بھی دانش مند حصہ لینے کے لئے تیار نہیں ہو سکتا ہے۔ حال ہی میں پنجابیتی انتخابات اس بات کا واضح ثبوت ہے۔

انہی حالات کے پیش نظر نو جماعتوں کے نمائندوں نے جناب شیخ محمد عبداللہ کی موجودگی میں ان کے دولت خانے پر حصہ لینے کا فیصلہ لیا تھا۔ اس فیصلہ میں رائے شماری اور ریاست کی دیگر سیاسی و مذہبی تنظیموں کے سربراہوں کے علاوہ

۲۱ برسوں کی طویل اور صبر آزمائیت سے ریاست جموں و کشمیر کے مستقبل کا مسئلہ حل طلب چلا آ رہا ہے اور یہاں کے ۵۰ لاکھ عوام اپنے پیدائشی حق یعنی حق خود ارادیت کے کامل حصول کے لئے اپنی مسلسل جدوجہد میں مصروف عمل ہیں۔ مسئلہ الحاق مرض التواء میں ڈالنے سے یہاں کے عوام غیر یقینیت میں مبتلا ہیں اور مستقبل میں بھی غیر یقینیت یقیناً ایک خطرناک صورت اختیار کرے گی۔ حق خود ارادیت کے بین الاقوامی عہد کے باوجود بھارت اس کو عملی شکل دینے میں ہٹ دھرمی بے جا مندر اور معاندانہ طریقہ کار سے کام لیتا رہا۔ لیکن یہاں کے بیدار دل عوام نے اس بنیادی حق کے کامل حصول کے لئے سر دھڑکی بازی لگائی اور پیش آنے والی آزمائشوں اور زہرہ گداز دشواریوں سے حوصلہ شکن نہیں ہوئے۔ ہندوستان کے ارباب ریاست اس امر سے بخوبی واقف ہیں کہ یہاں کے حریت پسندوں کو ہزاروں کی تعداد میں جیلوں میں رکھنے سے اور ان کو بے بنیاد لغو اور من گھڑت مقدمات میں اخوذ کرنے سے مسئلہ کشمیر حل نہ ہو سکا۔ عالمی رائے عامہ کے تحت ریاست کے عوام اس بات پر بچتہ یقین رکھتے ہیں کہ مسئلہ الحاق ایک زندہ اور حل طلب مسئلہ ہے۔ جیسا کہ ۱۳ اگست ۱۹۴۷ء اور ۵ فروری ۱۹۴۹ء کی تواریخی قراردادوں میں سلامتی کونسل نے یہاں کے ۵۰ لاکھ عوام

”عوامی مجلس عمل جموں و کشمیر“

یہ تقریر غلام حسن انقلابی صاحب نے میونخ کونشن منعقدہ اکتوبر ۱۹۴۸ء میں اجماعی ہدایتوں کے تحت کی۔

تقریر کرتے ہیں جس کا اقتباس یہ ہے :-

”ہمارے ہاتھ میں ایک صاف سلیٹ نہیں ہے جس پر کہ ہم لکھیں بہاؤ ہاتھ بندھے ہوئے ہیں ہم پر اقوام متحدہ میں کئے ہوئے وعدوں کی بندشیں ہیں اس کے باوجود بنیادی چیز تو یہ ہے کہ ہم نے اعلان کیا ہے اگر ہم نے اعلان نہ بھی کیا ہوتا تب بھی حقیقت یہی ہے کہ یکٹیر کے عوام میں جن کو یہ فیصلہ کرنا ہے۔

فرض کیجئے کہ وہاں باضابطہ استصواب رائے عامہ ہوا اور کشمیری عوام نے کہا ”ہم ہندوستان کے ساتھ نہیں رہنا چاہتے ہیں“ چونکہ ہم نے وعدہ کیا ہے لہذا ہم اس کو قبول کریں گے۔ چاہے ہمیں دکھ ہی ہو مگر ہندوستان سے الگ رہنے کی صورت میں ہم ان کے خلاف اپنی افواج نہیں بھیجیں گے۔ ہندوستان کے ساتھ الحاق توڑنے کے فیصلے سے ہمیں کتنا ہی درد کیوں نہ ہو۔ لیکن ہمیں ان کا فیصلہ قبول کرنا ہوگا اور ہمیں اس کے بارے میں اپنے آئین کو تبدیل کرنا ہوگا“

پس حالات کے بدل جانے اور وقت کے گزر جانے سے تواریخی حقائق اور اور کئے ہوئے وعدے نہیں بدل سکتے ہیں۔ ہم حق پر ہیں اور اپنے پیدائشی حق کے معمول کے لئے جدوجہد قائم رکھنے پر مجبور ہیں۔ اس حقیقت سے کوئی انکار نہیں کر سکتا ہے کہ سلامتی کونسل نے مذکورہ قراردادوں میں آج تک کوئی تردید یا کسی قسم کی ترمیم کا اعلان نہیں کیا ہے۔ بد قسمتی سے سلامتی کونسل میں بڑی طاقتوں کے باہمی تناؤ کے سبب آج تک کسی نہ کسی بہانے سے یہ مسئلہ اتوار میں ڈال دیا گیا اور آئندہ غیر یقینی حالات میں اضافہ ہوتا جا رہا ہے۔ عوام کی زبانوں حالی اور اقتصادی بد حالی یا بوس کن ہوتی جا رہی ہے۔ ہندوستان اور پاکستان کے مابین کشیدگی دائمی شکل اور سرد جنگ شدید اور سنگین صورت اختیار کر رہی ہے جس سے دونوں ممالکوں کے کروڑوں انسان متاثر ہیں۔

کو اس بات کی ضمانت دی کہ وہ آزادانہ غیر جانبدارانہ اور منصفانہ رائے شماری کے ذریعے ہندوستان یا پاکستان کے ساتھ الحاق کر سکتے ہیں۔ ہندوستان اور پاکستان نے ان قراردادوں کو تسلیم کر لیا ہے۔

آئین ساز اسمبلی کے سوال پر سلامتی کونسل میں ۱۹۵۷ء میں بحث کی گئی تھی اور اس بات کا غور شدہ ظاہر کیا گیا تھا کہ مبادا بھارتی حکومت کشمیر اسمبلی کو الحاق کے مسئلہ پر فیصلہ حاصل کرنے کے لئے استعمال کرے۔ جب یہ مسئلہ سلامتی کونسل میں زیر بحث آیا تو شری بی۔ این راؤ نے جو بھارتی وفد کی رہنمائی کرتے تھے اس موضوع پر دومرتبہ کونسل کو خطاب کیا (۲۸ اور ۲۹ مارچ ۱۹۵۷ء) ان سے پوچھا گیا کیا وہ اسمبلی الحاق کا مسئلہ طے کرے گی؟ انھوں نے جواب دیا کہ میری حکومت کا نظریہ یہ ہے کہ یہ اسمبلی اگر چاہے تو اس مسئلہ پر شخص اپنی رائے ظاہر کر سکتی ہے۔ لیکن وہ اس پر کوئی فیصلہ نہیں لے سکتی۔

اس سلسلہ میں سلامتی کونسل نے ۲۹ مارچ ۱۹۵۷ء کی قرارداد منظور کی جو مندرجہ ذیل ہے :-

”... یہ کہ جنوں کشمیر نیشنل کانفرنس کی جنرل کونسل کی سفارشات کے مطابق آئین ساز اسمبلی کو طلب کرنا اور اس کا لیا ہوا کوئی بھی فیصلہ جو کہ وہ اس سالم ریاست یا اس کے کسی حصہ کے مستقبل اور آئندہ تعلقات سے متعلق لینے کی کوشش کرے کسی بھی صورت میں مندرجہ بالا اصولوں کے مطابق ریاست کا حتمی فیصلہ تسلیم نہیں ہوگا۔ ان حالات میں یہاں کی اسمبلی کسی بھی صورت میں مسئلہ الحاق کو طے نہیں کر سکتی ہے۔ یہ مسئلہ فقط رائے شماری کے ذریعے حتمی اور آخری قرار دیا جاسکتا ہے“

اس سلسلہ میں بھارتی وزیر اعظم ۲۶ جون ۱۹۵۷ء کو پارلیمنٹ کے ایوان میں

سے بڑی قربانی دینے سے دریغ نہیں کریں گے۔ دنیا کی تاریخ جمہوریت کے تقاضوں اور زندگی کے تجربوں کا فیصلہ یہ ہے کہ اگر ہم نے اپنے دعوے کی تائید میں قربانیاں دیں تو ہماری آواز ہی حرف آخر ہوگی۔ اس کے بغیر تمام فیصلے نامکمل، غیر جمہوری اور خانہ ساز ہوں گے۔

میں یہاں اس امر کو بھی واضح کر دینا چاہتا ہوں کہ قلعہ کشمیر حل کرنے کے لئے قابل عمل صرف دو راستے ہیں اور ہر کوئی تیسرا راستہ سلامتی کونسل کی قراردادوں کے منافی ہے۔ جو مینہ خلاف ورزی بھی ہے اور ہندوستان اور پاکستان کے قول و قرار کے خلاف بھی ہے۔ دنیا کا رائے عامہ فقط اسی ایک سوال پر متفق ہے کہ قلعہ کشمیر ہندوستان یا پاکستان کے اہلین کشمیر کے عوام کی مرضی سے حل ہونا چاہیے۔ حالانکہ ہندوستانی مندوب گوپالہ سوامی آئنگر نے سلامتی کونسل کے سامنے تیسرا راستہ خود مختار کشمیر کے لئے استصواب رائے عامہ کا حق بھی تسلیم کیا ہے۔ لیکن سلامتی کونسل نے اپنی قرارداد میں اس تیسری پوزیشن کا ذکر تک بھی نہیں کیا۔ اس طرح سے سلامتی کونسل کی تجویز جو ہمارے مطالبہ رائے شماری کی سب سے بڑی عدالتی دستاویز ہے۔ وہ ہمارے اختیارات کو درہماتوں تک ہی محدود کرتی ہے۔ علاوہ برس گذشتہ بیس سال کے تلخ تجربے نے ثابت کر لیا ہے کہ کشمیر کی سرحدوں سے ملنے والے ممالک خود مختار کشمیر کو اطمینان کی زندگی گزارنے نہیں دیں گے۔ چنانچہ کشمیر کے گرد چین، روس، افغانستان، پاکستان اور ہندوستان ہیں۔ جب تک ہر پانچوں ملک متفقہ طور پر کشمیر کے اندرونی معاملات میں دخل در معقولات نہ کرنے کی ضمانت دیں۔ اس وقت تک خود مختار کشمیر قائم نہیں رہ سکے گا۔

یہ ضمانت بین الاقوامی سطح پر ہی ممکن العمل ہے۔ لیکن بین الاقوام اول تو

دونوں ممالک اس وجہات خریدنے میں سرگرم عمل ہیں اور افواج کی نقل و حرکت پر کروڑوں روپے بے تحاشہ خرچ کئے جاتے ہیں۔ جو کہ تعمیری کاموں میں خرچ کئے جانے سے مفکوں احوال عوام کی زندگی کا میاں کب کا بلند ہوا ہوتا۔ کروڑوں انسان فاقہ کشی، غربت، افلاس، بے کاری اور بیماری میں مبتلا ہیں۔

قلعہ کشمیر کا منصفانہ اور جمہوری حل ہی ہندوپاک معاہدات اور مستقبل کی دوستی کا ضامن ہے اور دونوں ملکوں کے عوام کو ذہنی غفلت اور دماغی پریشانیوں سے نجات دلا سکتا ہے۔ اگر دونوں ملکوں کے سربراہ کشمیری عوام سے کئے ہوئے وعدوں کا ایقانہ کریں اور ایک حقیقت پسندانہ نظریہ اپنائیں تو جنگ کے بھیاں گھٹاؤنے اور خطرناک شعلے نہ صرف برصغیر ہندوپاک بلکہ دنیا کے امن کو بڑی طرح درہم برہم کر سکتے ہیں!

جوں و کشمیر کے عوام نے ہر قیمت پر حق خود ارادیت کے حصول کا تہیہ کر لیا ہے۔ کیونکہ ہماری سیاسی جدوجہد کی بنیاد ۱۹۴۷ء سے یہی رہی ہے۔

حکومتوں کی دشت اور بربریت، غیر جمہوری قید و بند کی صبر آزما اور روح فرسا سختیاں، انٹروکشن کے ہوش ربا عذاب، پولیس کی انسانیت سوز اور بے پیمانہ مار پیٹ، پُر فریب انتخابات کے ڈھونگ اور نا اہل و نادان اسمبلی کے نام و نہاد فیصلہ کے استدلال نے ہم کشمیری عوام کو اپنے نصب العین سے الگ نہیں کر دیا۔

ان حالات میں یہاں کے مظلوم اور بے گناہ عوام اپنے فطری رجحانات اور ہندوستان کے ارباب سیاست کے کئے ہوئے وعدوں کے مطابق غیر جانبدارانہ آزادانہ اور منصفانہ رائے شماری کے ذریعہ بین الاقوامی ادارے کی زیر نگرانی ہندوستان اور پاکستان کے درمیان اپنے مستقبل کا فیصلہ کرانے پر متقدم اور متفق ہیں۔ اس سلسلہ میں وہ بڑی

انسان کا گھر لوٹنے، دکان جملادینے اور اس کو چھرا گھونپنے، جان سے مار ڈالنے کے لئے صرف یہ گناہ کافی ہے کہ اس کے مذہبی خیالات مارنے والے کے خیالات سے مختلف ہیں۔

ان حالات میں اگر غور سے دیکھا جائے تو کشمیر کا سوال سیاسی، اقتصادی، ثقافتی اور تہذیبی وغیرہ قدروں سے جانچنے کی گنجائش ہی نہیں رہتی یہ سوال تو اب خالص مظلوم انسانوں کی جان، مال اور عزت کی حفاظت کا سوال بن گیا ہے۔ جب ہندوستان میں چھ کروڑ انسان اس لئے تھڑکلاں شہر بنائے گئے ہیں اور وہ اپنے ہی گھر میں بے گھر مسافروں سے بدتر اور خوف و ہراس کی فضا میں سانس لینے کے لئے مجبور کئے گئے۔ تو ایسی صورت میں مزید پچاس لاکھ انسانوں کو ان کی قیمت کا حق دار بنانے سے کیا حاصل ہوگا؟

بہر صورت یہ باتیں اتنی افسوسناک ہیں کہ ان کو زبان پر لانے سے کلچر منہ کو آتا ہے۔ لیکن مسئلہ کشمیر پر غور کرتے وقت ہم حالات اور مظلوم انسانیت کے ان بنیادی حقوق کو نظر انداز کر کے کچھ بھی حاصل نہیں کر سکتے ہیں۔ بنا بریں ہماری تنظیم عوامی مجلس عمل جموں کشمیر میں اس وقت تک مسئلہ کشمیر کے حل کے لئے حق خود ارادیت اور آزادی و منصفانہ رائے شماری کا جو موقف اپنا رکھا ہے۔ اس کے بغیر میرے سامنے اس مسئلہ کا کوئی حل نہ آسکا اور میں اپنے ایسے موقف کی طرف سب دوستوں کو دعوت دیتا ہوں!

بن ممبر نہیں۔ دوم یہ پانچوں ممالک نظر باقی اختلافات کے پیش نظر کسی ایک تجویز پر متفق ہو نہیں سکیں گے۔ سوم سلامتی کونسل کی قراردادوں میں خود مختار کشمیر کی اسال کوئی گنجائش ہی نہیں رکھی گئی ہے۔ اس لئے اس وقت خود مختار کشمیر کے مطالبے پر محنت کرنا اپنے وقت اور طاقت کو ضائع کرنے کا موجب ہوگا۔

پاکستان کے موجودہ آئین میں یہ گنجائش رکھی گئی ہے کہ استصواب رائے عامہ کے بعد جب کشمیر پاکستان کے حق میں ووٹ ڈالیں گے تو کشمیری زعماء کے مشورہ کے بعد ہی پاکستان کے ساتھ الحاق کے فرامین طے پائیں گے اور اس خواہش کا ہمیں احترام کرنا چاہیے اور اس سلسلہ میں اگر مزید وضاحت بھی ان سے طلب کرنے کی کوشش کی جائے تو کوئی بھی حرج نہ ہوگا۔ یہ ہماری بد قسمتی ہے کہ اندرا گاندھی اور صادق صاحب کی حکومتوں نے انتہائی کوتاہ اندیشی سے یہ ظالمانہ فیصلہ لیا کہ مولانا محمد یوسف شاہ صاحب اور دوسرے زعماء کشمیر جو اس کنونشن میں جناب کشمیر کشمیر کی دعوت پر شامل ہونے کے لئے آنے والے تھے، ان کو یہاں آنے کی اجازت نہ دی جائے۔ ورنہ ان زعماء کو یہاں آنے سے جہاں ہم کو آزاد کشمیر کے لوگوں اور ریاست کے دیگر مہاجرین کا نقطہ نگاہ معلوم ہو جاتا وہاں یہ لوگ ہمیں یہ بتا سکتے کہ پاکستان کے آئین میں کشمیر کے مستقبل کے بارے میں جو وعدہ کیا گیا ہے۔ اس کی تفصیل اور شکل و صورت کیا ہوتی ہے اور ایسا کرنے سے اس کنونشن کو اپنی کوششوں میں بڑی مدد ملتی۔ مگر ان تمام باتوں کے باوجود بھی ہمیں یہ ماننا ہے کہ بحیثیت ایک دوڑ کے جب ہم کشمیر کے عوام کے مستقبل کے بارے میں ہندوستان کی موجودہ اور تجربہ میں آئی ہوئی صورت حال اور پاکستان میں الحاق کا فیصلہ ہونے کی صورت میں آئندہ اپنے ساتھ ممکن سلوک کا توازن کرتے ہیں۔ تو ہمیں دونوں میں کوئی نسبت نظر نہیں آتی۔ ہندوستان کی حالت تو آج یہ ہو چکی ہے کہ وہاں کسی

درا، مسئلہ حوصل کرنے کے لئے دیگر طریقہ کار
ح (۲) عارضی انتظامات اور ایک مینہ مدت کے بعد آخری حوصل

د (۳) ریاست کی مکمل آزادی

ج (۴) پاکستان کے ساتھ الحاق

ب (۵) ہندوستان کے ساتھ الحاق

الف (۶) رائے شماری کے ذریعے حوصل

قبل اس کے کہ میں مرتب شدہ تجاویز کے بارے میں اپنے تاثرات اور خیالات کا اظہار
کروں میں ہر کتبہ ان خیالات پر غور و فکر و صاحبان مندوبین سے محنت چاہتا ہوں کہ وہ میری
حقیقت رسانی کے اظہار سے برہم نہ ہونے پائیں اور میری نیت کو خلل نہ لگائیں۔

درا، یعنی مسئلہ حل کرنے کے لئے دیگر طریقہ کار۔

اس باب میں جو تجاویز آئی ہیں، بالترتیب ان تجاویز کے بارے میں بنڈیل رائے

زنی پیش کر رہا ہوں :-

درا، جہاں تک اس تجویز یعنی ہندوستان پاکستان اور کشمیر کے نمائندوں کی ایک
گول میز کانفرنس سے حل ڈھونڈنے کا تعلق ہے۔ میرے نزدیک ایسی تجویز صرف طفل
تسل کے مصداق ہے۔ کیونکہ اس تجویز کی عملداری سے ماسوائے وقت ضائع ہونے کے
اور نئی نئی الجھنیں پیدا ہونے کے اور کچھ بھی حاصل نہ ہو سکے گا اور منزل مقصود دور
ہوتی جائے گی۔ جیسا کہ گذشتہ ۲۲ سالہ مجموعہ کے مذاکرات اور گول میز کانفرنسوں کے
نتائج سے ثابت ہے۔ لہذا اچھے طریقہ کار کے ذریعہ مسئلہ کے حل ہونے کی امید اور
توقع رکھنا فضول اور بے معنی ہے اور گول میز کانفرنسوں کا نتیجہ نشستن و برخاستن
اور گفتن و شنیدن کے سوا اور کچھ بھی ظاہر نہ ہوگا۔ اس صورت حال کے تحت میرا

دستاویز ۳

جوں و کشمیر ٹیٹ پیو پز کنونشن۔ محب اہد منزل سرنگر

مندرجہ ذیل تجویز جناب محمد سلطان دار کرمانی کا ندربل کشمیر کی طرف سے موصول

ہوئی ہے۔

تجویز :-

ریاست کے سیاسی مستقبل کے بارے میں اولین کنونشن کے دوران مختلف
کتبہ ان خیالات پر غور و فکر و صاحبان کی جانب سے جن پیش شدہ تجاویز کو سٹرنگ کیٹی نے
مختلف ابواب میں جو مقام دیا ہے۔ ان ابواب کی تعداد چھ تک ہے اور سٹرنگ کیٹی
نے ہر باب کی جو تشریح و توضیح فرمائی ہے۔ اُس سے نہ صرف ہر کتبہ ان خیالات مندوب کی
حوصل افزائی اور عزت افزائی ہوئی ہے۔ بلکہ جمہوری اصول کا منشا بھی پورا ہوا ہے۔
لیکن ایک باب یعنی تجویز پاکستان کے ساتھ الحاق تشریح و توضیح کا محتاج رکھا گیا ہے جو کہ
میری رائے میں نازیبا اور ناخوش آئند ہے اور یہ ڈبلی گیت حضرات کا دل دکھی کرنے کے
مقصد ہے۔ اب میں مرتب کردہ ہر باب پر اپنی رائے زنی اور خیالات مختصر طور پر پیش کر رہا ہوں
یہاں پر میں سٹرنگ کیٹی اور کنونشن کے تمام ڈبلی گیت صاحبان سے مندرت خواہ ہوتا ہوں
کہ میں آخری باب سے اپنے تاثرات شروع کر رہا ہوں۔ تکلیف صاف فرمادیں۔ بنڈیل
ترتیب سے میں آغاز کر رہا ہوں :-

(۶-۹۰-۱۰) یہ تجویز بھی میرے خیال میں اور میری رائے میں مطلوبہ مقصد یعنی ریاست کے سیاسی مستقبل حل کے لئے غیر مفید ہیں اور ان تجاویز میں ایسی باتیں درج ہیں۔ جن میں اکثر ایوانوں کا تجربہ کیا جا چکا ہے اور کچھ ایسی تجاویز بھی ہیں جو کہ دیگر ابواب میں بھی موجود ہیں۔ لیکن ان تجاویز سے کوئی ٹھوس فیصلہ نہیں لیا جاسکتا ہے۔ البتہ یہی درج ہے کہ یہ کیا جائے وہ کیا جائے۔ پھر دیکھا جائے گا کہ آخری حل کیسے کیا جاسکے گا۔ لہذا میری رائے میں ایسی تجاویز سے معاملہ کو طوالت میں ڈالے جانے کے سوا اور کچھ بھی حاصل نہ ہوگا۔ بلکہ اس طرح کے اقدام سے ریاستی غریب عوام اور مظلوم عوام و بال بگردن لئے جانے کے مترادف ہوں گے کیونکہ یہ عیاں ہے کہ ریاست کا عوام مسئلہ کشمیر کے ہلکے رہنے سے کس قدر اقتصادی بد حالی، سیاسی کشمکش اور روحانی عذاب کے مصائب میں مبتلا ہے۔ اور ساتھ ہی مسئلہ کشمیر کو فوری طور پر جہوری اصول کے تحت طے ہونے کے لئے بتایا ہے۔ ان صورت حال کے ہوتے ہوئے اگر تسلیم شدہ جہوری طریقہ سے مسئلہ کو حل کرانے کے بجائے دیگر نئی نئی نامقول تجاویز کے گداب میں پڑ کر پکھائے اور آزمائے ہوئے شرائط اور کوششوں کو از سر نو پکھانے اور آزمائے کے مذموم عملداری کی خاطر وقت بتایا جائے۔ سراسر بے بس اور مظلوم عوام کی توقعات کی پامالی کر کے ایک خدا رانہ طریقہ عمل ہے۔

(۷) ناممکن العمل۔ کیونکہ مکمل آزادی کی راہ اختیار کرنے میں ہزاروں مشکلات اور آفات کو دعوت دینی ہے۔ نیز مشترکہ دفاع اور امور خارجہ کی تجویز سے پٹنا صوبہ پچیدگیاں مول لینے کے مترادف ہے اور میری رائے میں ایسی عملداری سے مسئلہ کشمیر کے تینوں فریق دردمر کے شکار ہوں گے اور مستقبل قریب میں مشکل ترین اور مہلک فزائات کا سامنا کرنے کا اندیشہ ہے۔

(۱۲) وضاحت کی ضرورت۔ یہ تجویز زائد البیاد ہو چکی ہے اور یہ دفترہ گائے

اس تجویز کے ساتھ اتفاق نہیں ہے۔

(۱۳) اس کا تجربہ کیا گیا ہے جس کا نتیجہ اس طرح سے دنیا کے سامنے آچکا ہے کہ ریاست کے اعلیٰ اور ادنیٰ تشدد کے شکار بنائے گئے۔ ریاست کے واحد اور ہر دول عزیز لیڈر جناب شیر کشمیر کو اپنے رفقاء کے سمیت جلاوطن کر کے قید و بند کے مصائب سے دوچار کیا گیا۔

(۱۴) اس تجویز میں بنیادی مقصد یعنی سیاسی مستقبل کے حل کے متعلق شائبہ بھی نہیں ہے۔ دوم قانون ساز اسمبلی کے لئے انتخابات غیر جانبدارانہ الیکشن کے ذریعہ کر لئے جانے کا مطالبہ منوانے میں حضرت عمرؓ کی ضرورت ہے۔

(۱۵) مسئلہ جہاد کے جلیبی تجویز ہے۔ دیگر ریاست کے رہنماؤں اور لیڈروں نے گزشتہ ۲۲ سالہ عرصہ میں وہ کوئی ساعت چھوڑ رکھی۔ جبکہ با مقصد بات چیت کے لئے پیشی نہ کی ہے۔

(۱۶) ریاست کا عوام حصول حق خود ارادیت کی جدوجہد ساہیال سے شروع کر چکی ہوئی ہے اور کر رہی ہے اور جنگ بندی لائن کے دونوں طرف کے رہنماؤں کا کنوشن بھی ہو رہا ہے۔ اس کے علاوہ اس تجویز میں اور کوئی بات نہیں ہے۔ تو کوئی وجہ دریافت نہیں ہو سکتی ہے کہ یہ تجویز کیونکر قائم رہنے پائے۔

(۱۷) اس تجویز میں صدارتی راج اور حقیقی جہوری حکومت کی مانگیں ہیں۔ جن کے منوانے کے لئے تحریک اٹھانے کی ضرورت ہے۔ اس کے بعد مل تلامشی کی کوشش کرنی ہے اسی کو کشمیری زبان میں کہتے ہیں (اُنے شاکر پوٹے) میری کچھ میں نہیں آتا ہے کماں تجویز میں جبکہ مطلوبہ مقصد یعنی ریاست کے مستقبل کے سیاسی حل کی کوئی راہ یقین ہی نہیں ہے تو اس تجویز کو ضرورت رکھنے سے کیا فائدہ؟

تو ضرور ہے۔

دوسری ریاست کی مکمل آزادی - میری رائے میں یہ تجویز اور ہر چھوٹی قسم کی تجاویز ناممکن العمل ہیں۔ کیونکہ ایسی تجاویز کے رد پر عمل لانے سے ہزار ہا مشکلات اور پیچیدگیوں کے علاوہ مہلک اثرات کے رونما ہونے کا اندیشہ اور خطرہ محسوس ہو رہا ہے اور اس بات کی تجویز میں علاقہ وادی کی علاقہ داری کی جو محدود رکھی گئی ہیں۔ اس سے صاف عیاں ہوتا ہے کہ مسئلہ جوں کا توں حل طلب رہتا ہے اور مسئلہ کشمیر کے حل ہونے کی کوئی امید دکھائی نہیں دے رہی ہے۔

رج ۴م، پاکستان کے ساتھ الحاق - قبل اس کے کہ میں اس تجویز کے بارے میں اپنی رائے پیش کروں۔ میں شرط لگاتی ہوں کہ اگر اس کے تحت پاکستان کی تجاویز کے مطابق اس باب کی اس مذکورہ تجویز کی تشریح اور توضیح ترتیب دی جائے گی کیوں کہ جس کی کیا گیا ہے؟ میرے خیال میں اس طرح کرنے سے اس تجویز کے محرک اور مؤید صاحبان ڈیلی گیٹ حضرات کے دل دکھی ہوئے ہوں گے اور میرا دل و دماغ بھی تذبذب اور انتشار میں پڑ رہا ہے اور خیال گزر رہا ہے کہ فرض کریں یہی تجویز پاس ہو گئی تو ریاست اور ریاست کے لوگ کن بنیادوں کن شرائط اور کن اقدامات کے تحت پاکستان کے ساتھ وابستگی اور الحاق کر پائیں یا جبکہ اس تجویز کو رائے شماری کے تابع رکھا گیا ہے مان لیں ریاست رائے شماری ہی کے ذریعہ پاکستان کے ساتھ ملحق ہو جائے۔ تو پھر کیا ریاست کے لوگ پاکستان کے ساتھ باوجود ایک خود دار قوم کے غلامی جیسی صورت میں مدغم ہو جائیں گے؟ یا کہ اس قوم (ریاستی عوام) کا دقت اور خود داری برقرار رہے گی؟ ان صورتوں کے تحت میرے خیالات کے موجب اس تجویز کے ساتھ ایسی تمام باتیں تشریح درج رکھی جانی چاہیے جتنیں کیونکہ یہ روز روشن کی طرح عیاں ہے کہ کشمیری قوم

کھابھی ہے۔ اب پھر سے اس تجویز کے ساتھ اتفاق کرنا اس کشمیری ضرب المثل کے مطابق ہے (تراد منتر تھوک بیہ نیگلا دن)۔ پس اس بات کی مندرجہ تمام تجاویز ریاستی عوام کی ان توقعات کے منافی ہے۔ جو توقعات عوام کو اپنے رہنماؤں کے ساتھ وابستہ ہیں ایسی صورت میں یہ تمام تجاویز ناقابل قبول ہو سکتی ہیں۔

ح (۲) عارضی انتظامات اور ایک مدت کے بعد آخری حل! میری رائے میں یہ تجویز کشمیری زبان کی اس ضرب المثل کے مصداق ہے کہ ”کیور پاز کتھ لگرا قی“ یعنی کنوئیں کی صفائی تو کی جا رہی ہے۔ لیکن مردہ چوہا کنوئیں میں بدستور موجود ہے۔ اس تجویز میں بھی انہی اقدامات کے کئے جانے کا اظہار کیا گیا ہے۔ جن سے ہی عیاں ہوتا ہے کہ مسئلہ کو نت نئے الجھنوں اور پیچیدگیوں میں ڈال کر طوالت میں اپنے ہاتھوں چھوڑ دیا جائے اور کچھ ایسے اقدامات کئے جانے کا تذکرہ بھی اس تجویز میں پایا جاتا ہے جو کہ آزمائے گئے ہیں۔ جیسا کہ اس تجویز کے آئیم نمبر ۱ سے پایا جاتا ہے کہ اگرچہ اب تک ریاست کا مسئلہ عارضی طور پر ہی عرصہ ۲۲ سال سے اٹکا ہوا ہے۔ اب سرسری طور پر دس بیس سال کے لئے اٹکائے ہی رکھا جائے۔ اس کے بعد غور کیا جائے گا کہ اونٹ کس کدوٹ بیٹھے۔ اسی طرح اس تجویز کے آئیم نمبر ۲ سے سنگین اور خطرناک اندیشہ اور تشویش لاحق ہو جاتی ہے کہ اگرچہ آج تک ریاست جوں و کشمیر عارضی اقدامات کے تحت صرف دو ہی ملکوتوں یعنی ہندوستان اور پاکستان کی عصیت کی شکار بن چکی ہے۔ اب سے اپنے ہاتھوں مزید درجن بھر بیرونی ممالک کی زنجیروں میں جھکائے رکھا جائے۔ علیٰ ہذا القیاس! اس تجویز کے دیگر اقدامات بھی اپنی اپنی نوعیت کے تحت ہر قسم کے ہیں۔ لہذا میری رائے میں مطلوب مقصد یعنی ریاست کے سیاسی مستقبل کے حل کا کوئی راستہ متعین نہیں دکھائی دے رہا ہے۔ البتہ ریاست کے لوگوں کے منشا اور مرضی کو کمزور کر دینے رکھے جانے کی کوشش

کو نچا دکھانے کے لئے زور آزمائی کے تباہ کن نتائج کا قیل سامانہ چکھ بیٹھے۔ لیکن دشمنی اور کشیدگی برابر بڑھتی جا رہی ہے اور اس دشمنی اور کشیدگی کی بنیاد صرف مسئلہ کشمیر ہے۔ اب جو اس مسئلہ کا تیسرا فریق یعنی ریاست جوں و کشمیر ہے۔ یہ فریق محض ہند اور پاکستان کی باہمی دشمنی کی چکی میں پسا جا رہا ہے اور یہ فریق مسئلہ یعنی جوں و کشمیر مخلصانہ طور فریقوں کے مابین ہندوستان اور پاکستان کی باہمی دشمنی اور کشیدگی دور ہونے کے لئے بنیاد ہے اور یہ تیسرا فریق یعنی ریاست جوں و کشمیر جو کہ اس مسئلہ کا سنگ میل ہے چاہتا ہے کہ اس مسئلہ کا حل اس ڈھنگ اور اس طریقہ کار سے ملے جو ناچاہیے جس سے کہ ہند اور پاکستان کے باہمی تنازعات زیادہ ہی خراب نہ ہونے پائیں۔ بلکہ ان دو بھائیوں کے مابین جو کشیدگی اور دشمنی لاتی ہو گئی ہے اس کا خاتمہ ہو سکے۔ نیز اس مسئلہ کا حل اس جمہوری اصول کے طریقہ کار سے ملے جو ناچاہیے جس جمہوری اصول کے اس مسئلہ کے تینوں فریقوں سے دلدادہ ہیں۔ میری رائے میں اسی طریقہ کار کے اقدام سے مسئلہ ملے ہو کر تینوں فریق اطمینان کا سانس لینے کے قابل ہو جائیں گے اور جمہوری اصول کے تحت فیصلہ جی سے کسی بھی فریق کو نہ احساس شکست ہی ہوگا اور نہ احساس فتح اور اس طرح اس طریقہ کار کا فیصلہ ہی تینوں فریق کے لئے قابل قبول اور باعث عزت و حرمت ہوگا۔

ب (۵) ہندوستان کے ساتھ الحاق۔ اس تجویز کا مطالعہ اور غور کرنے سے زخموں پر زہر چھڑک جاتا ہے اور ہندوستان کے ارباب اقتدار و اختیار کے ان تمام دعوؤں اور یقین دہانیوں اور پھر خلاف عملداریوں کے رد اور کھپے ہوئے سلوک اور برتاؤ کی یاد دہانی سے لرزہ اٹھتا ہے اور وہ رد و داد اس طرح کے تئیں یعنی جو ہندوستان اپنے آپ کو جمہوریت نواز، سیکولرزم کا بانی، عدم تشدد کا حامی، محبت و اخوت کا پرستار، سچائی کا دلدادہ، وفائے عہد کا پابند، انسانیت درو حانیت کا شیدائی اور فیاضانہ برتاؤ رکھنے کے بلند پایک

قریباً نصف صدی سے اپنی عظمت و وقار اور خود داری برقرار رکھنے کی خاطر پیش بہا مانی اور جانی قربانیاں نہتی رہی ہے اور قوم نے ریاستی عوام نے تہیہ کر لیا ہے کہ قوم اپنی جانیں دے دے گی۔ قوی وقار اور عظمت پر زورہ برابر آج آئی برداشت نہ کرے گی۔

لہذا میری رائے میں اس تجویز کو متشرع بنانے سے جہاں اس خیال کے مندرجین حضرات کی حوصلہ افزائی، عزت افزائی ہوگی وہاں اسٹریٹجک کٹی مہم غمانہ، جمہورانہ اور مخلصانہ طور پر غور و فکر کرنے کا مظاہرہ کرے۔ اس کے بعد میں اس تجویز یعنی پاکستان کے ساتھ الحاق کے متعلق اپنے خیالات اور رائے مختصر طور پر عرض کرنا مزید دلچسپ ہوں۔ چونکہ مسئلہ کشمیر کے تین فریق ہیں یعنی ہندوستان، پاکستان اور کشمیر۔ فریق نمبر اول اور نمبر دوم یعنی ہندوستان اور پاکستان کی نیت بد کی بنا پر ہی یہ مسئلہ پیدا ہوا۔ یعنی ہندوستان اور پاکستان نے اس مسئلہ کے وجود تیسرے فریق یعنی ریاست جوں و کشمیر کو بڑبڑ کر لینے کی مذموم کوششیں جاری رکھی ہیں اور ان دونوں بد نیت فریقوں یعنی ہندوستان اور پاکستان نے الگ الگ صورتوں میں اپنی اپنی جانب سے طرح طرح کی خود غرضانہ اور غاصبانہ طور و طریق اور شرناک حربوں کو استعمال کرتے ہوئے ریاست جوں و کشمیر کو دو دائی ٹیلٹ کی طرح نکل لئے جانے کے لئے بہترے ہاتھ پاؤں مارے۔ مگر ان میں سے کوئی کبھی فریق سو فیصدی کامیاب نہ ہو سکا۔ البتہ ریاست کا کچھ حصہ زیر قبضہ پاکستان اور باقی حصہ زیر قبضہ عارضی طور پر ہندوستان آ ہی گیا۔ چنانچہ ہندوستان اور پاکستان کی مبنی بر نیت بد کی کارستانی کی صورت حال کے تحت ان دو بھائیوں یعنی ہندوستان اور پاکستان کے کندھوں پر باہمی دشمنی، کشیدگی اور کدورت سوار ہو بیٹھی اور کشمیری اس ضرب النمل کے مصداق "نیت بدس اور بدبر" یہ دونوں بھائی یعنی ہندوستان اور پاکستان ایک دوسرے

خونی اور نظری رشتہ کو قلع قمع کر کے صلہ رحمی کے بجائے قطع رحمی کے شیطانی جرائم کا ارتکاب کرنے کے برابر ہے۔ اس طرح اس تجویز کے دیگر شرائط سے بھی وہی کچھ ظاہر ہوتا ہے۔ جو کچھ گزشتہ ۲۲ سالہ مدت میں قوم آزادی آ رہی ہے۔ ان اسباب کے ہوتے ہوئے آنکھیں بند کر کے اس تجویز کو رد و عمل لانا سراسر نادانی اور قوم کے لئے وبال مول لینے کے برابر ہے۔

دوسرا پہلو جو کہ اس تجویز کی عملداری کا مانع ہے۔ وہ پہلو وہی ہے جو کہ میں نے ”پاکستان کے ساتھ الحاق“ کی تجویز میں مانع قرار دیا ہے۔ یعنی ہندوستان اور پاکستان کی باہمی دشمنی اور کشیدگی جو کہ اسی مسئلہ سے پیدا ہوئی ہے۔ اگر یہ کشیدگی اخلاص مندی اور صلاحیت سے اس مسئلہ کے حل ہونے کا وہی راستہ اختیار کرنے کا تہیہ کرے جس کے فائدہ مند ہو چکی ہے اور جو تسلیم بھی کیا گیا ہے۔ پھر وہ دن دور نہیں جبکہ ہندوستان اور پاکستان کی باہمی دشمنی اور کشیدگی آپس کی دوستی اور تعاون میں بدل کر رہے اور متنازعہ مسئلہ حتیٰ طور پر آبرو مندانہ صورت میں حل ہو کر رہے۔

تیسرا پہلو جو کہ اس تجویز کا مانع ہے۔ وہ یہ ہے کہ جب سے ریاست عارضی طور پر مقصود میں بٹ گئی اور تب سے ہندوستانی مقبوضہ ریاست کی قوم نے جو کچھ دیکھا اور پایا اور پارہا ہے۔ وہ صرف اقتصادي بد حالی روز افزوں بڑھتی مہنگائی، غنڈہ گردی، اخلاقی گراؤ اور نایاب ضروریات زندگی پر مشتمل ہے۔ حالانکہ اس میں شک نہیں کہ ہندوستان کے عظیم جمہوری ملک کے قلمروں نے اپنے ملک کے کروڑوں غریب اور مفلوک احوال لوگوں کا کھانا گھونٹتے ہوئے ”کشمیر ہندوستان کا اٹوٹ انگ“ کا لالچ الاپتے ہوئے محض مقبوضہ علاقہ جات کے لوگوں کے دل موہ لینے کے لئے مراعات دینے میں اپنی طرف سے کوئی کسر باقی نہ رکھی ہے۔ لیکن اس کے باوجود بھی یہاں کے

دلوؤں کا ڈھونڈنا پٹنا اور پھوٹا تھا، اسی ہندوستان نے جس خود غرضی، تعصب، تشدد، نفرت، کذب، عہد شکنی اور تنگ دلی سے ریاست کے مظلوم اور مجبور قوم کو خون کے آنسو لایا، وہ قابل فراموش نہیں ہے۔ نیز ہندوستان نے گزشتہ ۲۲ سالہ عرصہ میں کشمیر کی غیور اور خود دار قوم کو جس دھوکہ دہی، فریب کاری اور نا انصافی کی قرب کاری سے مجروح کر لیا ہے۔ اس سے ریاست کا ہر نفس کا پٹ اٹھتا ہے اور وہ دُعا ناک وقات جو کہ ہندوستان کشمیریوں پر ڈھا چکا ہے۔ نقش برنگ ہو کر رد و روشن کی طرف عیاں ہیں۔ امر میں کشمیر کے عوام نے ہندوستان کو ہر لحاظ سے پرکھا اور آزمایا ہے اور اب پھر پھر کھنا اور آزمانا عداوتی ہی نہیں گناہ ہے۔ لہذا اب کشمیری قوم کسی بھی قیمت پر دھوکہ بازی اور فریب کاری کے حال میں اپنے ہاتھوں جا پھنسنے کے لئے تیار نہیں ہے۔ نیز ریاست کا کوئی بھی بی خواہ بہ گوارا نہ کرے گا کہ ریاست کی سالمیت کو عدالت اور یگانگت کو کلچر ٹکڑے کئے جانے کے مذموم اقدام کئے جائیں۔ جیسا کہ سٹریٹ کیٹی کے مرتب کردہ اس تجویز کی شرطوں سے عیاں ہوتا ہے۔ چونکہ اس شرط پر نگاہ کرنے سے اور اس پر غور کرنے سے صاف ظاہر ہوتا ہے کہ انسانیت کا خزانہ ہی نکل جائے گا۔ چنانچہ اگرچہ موجودہ جنگ بندی ریاستی عوام کے خون خرابہ ہو جانے سے بچنے کے لئے ریاست میں ہی نہیں بلکہ ہندو پاک میں امن و امان قائم ہونے کے لئے اور ریاست کی سالمیت برقرار اور قائم و دائم رہنے کے لئے عارضی طور پر کھینچی گئی ہے اور اس جنگ لائن کو بشل ایک ابدار تلوار کے ریاست کی سالمیت کے وجود کے سینہ پر بے اثر طور پر کھینچی گئی اور بوجہ مجبوری کے تلوار آہ پار گئے ہوئے قربت داروں کے عارضی جدائی کی باعث بنی ہے۔ اب اپنے ہاتھوں اس تلوار کو دبا کر ایک ریاست کی سالمیت کو تھکا دینے کے مترادف ہے۔ دوم آہ پار لگے ہوئے باپ بیٹے، ماں بیٹی، بھائی بہن اور میاں شوہر کے

تینوں فریقی یعنی ہندوستان، پاکستان اور کشمیر بکھرتی ہوئی آگ کے گڑے میں جا گرنے سے بچ جائے گی۔ اسی تجویز کی رو سے مسئلہ کشمیر کا حل پر اس طور آبرو مندانہ، مصفاانہ اور بلا احساس بارجمیت طے ہو کر رہے گا۔ اسی تجویز کی عملداری سے ہندوستان اور پاکستان کی باہمی کشمکش، دشمنی اور کشیدگی دور ہو جائے گی۔ یہی وہ تجویز ہے۔ جو کہ اقوام متحدہ کی سلامتی کونسل کی قراردادوں کے عین مطابق ہے۔ اسی تجویز کو رد و عمل لانے سے جمہوری اصول کا تقاضہ اور بنی نوع انسان کے فطری حق کے استعمال کا منشا پورا ہو سکتا ہے۔ یہی وہ مبارک تجویز ہے۔ جس کی عملداری سے کشمیر کے عوام کے ساتھ کئے گئے وعدے پورے ہو سکتے ہیں اور ہندوستان کی جمہوری عظمت کو بڑھاوا اور فروغ حاصل ہو سکتا ہے۔ نیز اسی تجویز کو رد و عمل لانے سے اقوام متحدہ کی سلامتی کونسل کو بڑھاوا ملنے کے ساتھ ساتھ دنیا کے ایسے ہی مسائل کو جمہوری اصول کے تحت حل ہو جانے کی مدد ملے گی۔ اسی متداول تجویز کو رد و عمل لانے سے شریلوں اور فرقہ واریت کے جذبات اٹھانے والوں کا قلع قمع ہو سکے گا اور فرقہ پرستی کا خاتمہ ہوتے ہوئے فرقہ پرستوں کی گردنیں جمہوری اصول کے سامنے جھک کر ہی رہیں گی اور انسانیت کا بل بال ہو کر رہے گا۔ لہذا میری پختہ اور مضبوط رائے ہے کہ اس معقول تجویزؔ رائے شماری کے ذریعہ جس کے تحت ہی ریاست کے سیاسی مستقبل کا بڑھاپا ملے گا اور ہندوستان طے ہو سکتا ہے۔

اب میں اس تجویز کے ساتھ مرتب کردہ شرائط پر بھی اپنے خیالات اور تاثرات پیش کر رہا ہوں :-

شرط ۱۔ عوام بدستور تسلیم!

شرط ۲۔ اس میں جو تیسری راہ یعنی ریاست کی مکمل آزادی کی شرط

لوگ عام طور دو وقت کی روٹی اور تن ڈھا پنپنے کے لئے کپڑے کے محتاج ہو کے چلے آئے ہیں اور ہر رہے ہیں۔

چوتھا پہلو جو کہ اس تجویز کے مسترد ہونے کا مدعا ہے۔ وہ یہ ہے کہ ہندوستان کی آٹھ ڈویژن مسلح فوج نے مقبوضہ علاقہ جات کے ہتھے اور امن پسند فرزندوں وطن کا جو گھیر کر رکھا ہے۔ اس سے قوم کی خواتین کا ہی نہیں بلکہ مردوں تک کا قافیہ تنگ ہو کر رہ گیا ہے اور آزادانہ ماحول میں چلنا پھرنا ناممکن بنایا ہے۔ خوف اور دہشت کا ہر طرف راج ہے۔ اس صورت حال سے بھی کشمیر کا ہر خاص و عام اعلیٰ اور ادنیٰ ہندوستان سے متنفر ہو چکا ہے۔

ان دوسو زور جگر خراش حالات اور واقعات کو مدنظر لاکر اس کنونشن کے ان تمام مختلف انجیال مگر فکر مند ٹیلی گراف حضرات سے جو کہ بلا امتیاز مذہب و ملت اپنی فائز اور قابلِ غور روایات کے تحت یکجا بیٹھ کر ریاست کے سیاسی مستقبل کے حل کی تلاش کے لئے کوشاں ہیں درخواست ہے کہ وہ اپنے اپنے جذبات ٹھنڈا کر کے متفقہ فیصلہ لیں کہ متنازعہ مسئلہ کا حل ریاست بھر کے لاکھوں لوگوں کی رائے دہی سے طے ہونا چاہیے۔ یعنی رائے شماری کے ذریعے!

الف (۴) رائے شماری کے ذریعہ حل! یہ تجویز جہاں معقول، مقبول، قابلِ قبول اور مبنی بر جمہوری اصول ہے۔ وہاں اس تجویز میں کشمیری قوم کے لاکھوں بنی نوع انسانوں کی ان تمام توقعات کی خواہ بھجائی جاتی ہے۔ جن توقعات کی وابستگی قوم کے لیڈروں اور رہنماؤں کے ساتھ ہے۔ نیز جن توقعات کا حق اور ذمہ داری انھی لیڈروں اور رہنماؤں پر عائد ہے اور یہی وہ بیش بہا، صالح، مفید، بے لاگ، بے غرر اور صاف و پاک تجویز ہے۔ جس کی عملداری سے مسئلہ کشمیر کے

اقوام متحدہ کی تحویل میں رکھا جائے (لفظ پانچ حذف)
آئیٹم ۷ درست۔

آئیٹم ۸ اس کی تشریح اور وضاحت کی ضرورت محسوس ہوتی ہے۔ میری رائے میں ایسی شرط رکھنا ناموزون اور نامناسب ہے۔ کیونکہ اس طرح کی شرط رکھنا دو طرفہ کے دو طرفہ استعمال کرنے کے حق پر چھاپہ مارنے کے عین مطابق ہے اور خواہ مخواہ دو طرفہ کو تذبذب اور پریشانی میں ڈالنے کے برابر ہے۔ اب اس سوال جذبات ابھرنے کا۔ اس خدشہ کے سد باب کے لئے مسئلہ کشمیر کے تینوں فریق یعنی ہندوستان، پاکستان اور کشمیر اپنے اپنے علاقہ جات کے لئے ذمہ دار قرار دیئے جائیں کہ وہ اپنے اپنے لوگوں کے ذہن صاف بنوائیں اور اس طرح سے جمہوری اور سیکولر اصولوں کو بڑھاوا دے کر آدم کو انسانیت کے اوصاف سے آراستہ بنوا کر جذبات ابھرنے اور ابھارنے کے مرض کا قلع قمع کیا جائے۔
شرط ۷ آئیٹم ۷ درست اور تسلیم۔

آئیٹم ۹ میری رائے میں بیرونی ممالک سے ناظم اور نگران مقرر کرنا نازیبا اور ناموزون ہے۔ کیونکہ اس طرح کرنے سے ہندوستان اور پاکستان کو تلخیاں پیدا ہونے کا اندیشہ ہے اور معاملہ کو طوالت میں پڑ جانے کا احتمال ہے۔ نیز اس طرح کے اقدام کرنے سے ہندوستان اور پاکستان اسے اپنی اپنی خودداری کے خلاف تصور کریں گے۔ لہذا ادارہ اقوام متحدہ سے ناظمین اور نگرانوں کا انتخاب ہونا چاہیے تاکہ کبھی کی نگرانی میں رائی شماری کرائی جائے۔

آئیٹم ۱۰ درست، تسلیم۔

شرط ۹ اہم، تسلیم۔

ان خیالات، تاثرات اور اپنی رائے کا اظہار کرنے کے بعد میں اس تجویز یعنی

رکھی گئی ہے۔ اس کے ساتھ میرا اتفاق نہیں ہے۔

شرط ۱۱۔ رائے شماری تمام ریاست کے لئے ہونی چاہیے۔ اس شرط میں جو علاقہ وادی کی تجویز رکھی گئی۔ اس کی بھی تشریح اور وضاحت کا طلب گار ہوتا ہوں۔ نیز اگر علاقہ وادی رائی شماری سے یہ مقصد ہو گا کہ کسی علاقہ کی رائی شماری کا اثر اس علاقہ تک محدود اثر انداز ہو تو اس صورت میں ایسی عملداری میری رائے میں ناموزون اور نامناسب ہوگی۔ کیونکہ ایسے طریقہ کار سے نئی شکلات اور الجھنیں رونما ہونے کا شدید خطرہ ہے۔

شرط ۱۲ آئیٹم ۱۲ درست اور تسلیم!

آئیٹم ۱۳۔ غیر ملکی جارحیت کے خلاف ہندوستان و پاکستان کا یکجہ برابر مشترکہ دفاع۔

آئیٹم ۱۴ (درست اور تسلیم) ہندوستان اور پاکستان کے ساتھ ملانے والی ٹرکس مفرد تجارت کے لئے کھول دی جائیں۔

آئیٹم ۱۵ یعنی جس طرح پٹھانکوٹ روڈ کھلا ہے۔ اسی طرح راولپنڈی سربنگر روڈ بھی کھولا جائے۔

آئیٹم ۱۶ درست۔

آئیٹم ۱۷ رائے شماری کی تفصیلات طے کرنے کے لئے تمام سیاسی پارٹیوں کے نمائندوں کی گول میز کانفرنس۔

آئیٹم ۱۸ درست۔

آئیٹم ۱۹ اہم، تسلیم۔

آئیٹم ۲۰ رائی شماری کرانے سے پہلے ریاست کو دس سال تک ادارہ

جوں و کشمیر سٹیٹ پیوپلز کنونشن مجاہد منزل سرنگر

منہج ذیل تجویز جناب حکیم غلام حسن صاحب بادی پورہ (چاڈورہ) کی طرف سے موصول ہوئی ہے۔

۱۹۳۱ء سے لے کر برابر آج تک کشمیر کے حریت پسند عوام جناب قائد اعظم شہید کشمیر کی قیادت میں جنگ آزادی لڑتے آئے ہیں اور ہر وقت پیش ہا قربانیاں دیتے آئے ہیں۔ وہ صرف ایک مقصد کے لئے۔ اور وہ مقصد صرف یہ تھا کہ تمام ریاست کو مکمل آزادی مل جائے۔ جس کا دوسرا نام خود مختاری ہے۔ اگرچہ تحریک حریت نے مختلف درجوں میں کروٹ بدھے ہیں۔ تاہم مقصد مدعا ایک ہی تھا۔ چنانچہ کشمیر چھوڑ دو تحریک بھی اسی مقصد کے لئے چلائی گئی تھی۔ ۱۹۴۷ء میں جب ہندوستان دو حصوں میں تقسیم ہو کر دو آزاد مملکتوں ہندوستان اور پاکستان وجود میں آئیں۔ تو قدرتی طور پر ریاستوں کے الحاق کے بارے میں سوال پیدا ہوا۔ اس وقت کے گورنر جنرل لارڈ مونت بیٹن نے ریاستوں کی دو مملکتوں میں کسی ایک کے ساتھ الحاق کرنے یا دونوں

مادری کے ذریعے مسل کے ساتھ اتفاق کرتا ہوں۔ اس کے بعد میں اس کنونشن پر مکتب خیال مزید ڈیٹا گیت صاحب سے یہ التجا کرنا بر محل سمجھتا ہوں کہ وہ بقائے انسانیت اور قومی عظمت کو ملحوظ نظر فرماتے ہوئے ہی اپنی اپنی ذمہ داریاں پورا کریں۔ اے انسانیت اور قومی عظمت کی صلاحیت تب ہی بار آور ثابت ہو سکتی ہے۔ جب اس کی اعانت اور اجتماعیت کے وصف کو اپنایا جائے۔

آخر پریس سٹریٹنگ کمیٹی کے ریزولوشن دستاویز ج کے بارے میں یہی سنی پیش کرتا ہوں کہ وہ کام اعلیٰ ترین ذہن ماہرین و مفکرین اور تجربہ کار رہنمایان قوم کا ہے کہ اس کی طور طریقہ سے ریاست جوں و کشمیر کا اندرونی ڈھانچہ مرتب کر لکھا جائے۔ و سلام!

الرقم مخلص

محمد سلطان دار کرمانی گاندمل کشمیر
(ڈیٹا گیت جوں و کشمیر سٹیٹ پیوپلز کنونشن)

ہونے لگے گی۔ سرمایہ سے بڑے بڑے اداروں سے لیکر کارخانے اور فیکٹریاں قائم کی جائیں گی۔ ملک میں غیر یقینیت کی وجہ سے بد امنی، لاقانونیت، رشوت ستانی، غنڈہ گردی اور اقتصاد کی بد حالی کی بیماری و باکی طرح پھیلی ہوئی ہے وہ دور ہو جائے گی تو کشمیر کی آبرو کا ستارہ بین الاقوامی سطح پر آسمان عالم و آسمان دنیا میں چمکنے لگے گا۔

ڈنمارک ایک چھوٹا سا ملک ہے جس کی آبادی بیالیس لاکھ سے کچھ زائد ہے۔

اور رقبہ مولہ نزار پانچ سو مربع میل ہے۔ یہ ایک آزاد اور خود مختار ملک ہے اور یو۔ این۔ او۔

کا ممبر بھی ہے۔ اسی طرح نیو زیلینڈ کی آبادی بیس لاکھ پانچ نام کی آٹھ لاکھ سے زائد،

یمن کی آبادی پنتالیس لاکھ اور بہت سی ایسی آزاد ریاستیں ہیں جو آزاد اور پولین۔ اور

کی ممبر بھی ہیں۔ اس کے مقابل کشمیر آبادی کے لحاظ سے بھی بڑا ہے اور رقبہ کے لحاظ

سے بھی بہت طویل و درمیان ہے۔ مگر بد قسمتی سے ہندوستان اور پاکستان کی کشیدگی نے

دونوں کشمیر کی سالمیت اور وحدت کو توڑ کر صرف ایک ہی ریاست کو اضلاع اور صوبہ بڑی

کی طرح ٹکڑے ٹکڑے کر دیا ہے۔ بلکہ ان دونوں ملکوں کی کشیدگی کی وجہ سے یہاں کے لوگ

بھڑک بھڑکیوں کی طرح تقسیم ہو کر بھائی بھائی سے باپ بیٹے سے جدا ہو گیا ہے۔ اگر دونوں

ملک آپس میں دوستی بڑھا کر اس فیصلہ پر متفق ہو جائیں۔ تمام ریاست کو جو ۱۹۴۷ء

میں ہری سنگھ کے تحت تھی، مکمل آزادی دے کر ایک خود مختار اور آزاد ریاست تسلیم کر کے

یو۔ این۔ او کی نمائندگی دوائیں تو یقیناً کشمیر کے لوگ بھی اس مقام عزت اور آبرو کو

حاصل کریں۔ جس کی تہا و آرزو کشمیر یوں کے دلوں میں صدیوں سے باہوم اور ۱۹۳۱ء

سے باغیوں میں موجود ہے۔ یہ وہ صل ہے۔ جو ہندوستان اور پاکستان کو ایک دوسرے

کے قریب لاکر جنگ کی پریشانیوں سے نجات دلائے گا۔ بارہیت ہندوستان کی ہوگی

نہ پاکستان کی اور کشمیر کے عوام میں بھروسہ اعتماد اور ذمہ داری کا احساس پیدا ہو جائیگا

ساتھ دوستانہ تعلقات قائم کر کے آزاد رہنے کی تجویز پیش کی تھی اور کشمیر چودھو و تحریک

بجانب کشمیر چٹیل سے رہا ہو کر حصولی باغ کے طلبہ عام میں جو خطاب فرمایا۔ اس

آزادی جملہ یہ تھا کہ پہلے جوں و کشمیر کے لوگوں کو مکمل آزادی حاصل ہو۔ پھر عوام اپنی مرضی

ازادوں سے الحاق کے بارے میں فیصلہ دے سکتے ہیں کہ کشمیر پاکستان یا ہندوستان لگے

ساتھ الحاق کرے یا کشمیر کو مکمل آزادی مل کر وہ یہاں ایک عوامی جمہوری حکومت قائم

کر کے دونوں ہمایہ ملکوں کے ساتھ تجارتی تعلقات قائم کریں۔

یہی وجہ ہے کہ جس وقت ہندوستان انگریزوں کے خلاف جنگ آزادی لڑ رہا تھا

دو ہفتہ گاندھی کی قیادت اور کانگریس تنظیم کے آئین کے تحت لڑتا تھا اور ہندوستان میں

مسلم اکثریت مسلم لیگ کی قیادت میں ایک علاحدہ متحدہ حاصل کرنا چاہتے تھے۔ اسی طرح

کشمیر کے لوگ بھی اپنے مقصد آزادی کے لئے اس وقت بجانب کشمیر کشمیر کی قیادت میں علاحدہ

آئین تنظیم کے تحت جدوجہد کرتے تھے۔ ہمارا آئین و تنظیم بھی ان سے علاحدہ علاحدہ اور

ہمارا جذبہ بھی ہندوستان اور پاکستان کے برعکس تھا۔ یہی وجہ تھی کہ ۱۹۵۳ء تک جناب

کشمیر کشمیر کی حکومت میں اگر کوئی ہندوستانی کشمیر آنا چاہتا تھا۔ تو اس کو باضابطہ کشمیر گورنمنٹ

سے اجازت حاصل کرنا پڑتی تھی۔ یہ دراصل کشمیر کی علاحدگی کی علامت تھی۔ حقیقت

بھی یہی ہے کہ جس طرح باقی آزاد ریاستیں آزادی حاصل کرنے کے بعد اپنے ملک و تقدیر

کے خود مالک ہیں۔ اسی طرح یہاں کے لوگوں کو بھی آرزو دار مان ہے کہ ہم آزادی حاصل

کر کے اپنے ملک کی حفاظت و حکومت خود کریں گے اور اپنا اندرونی بیرونی انتظام اور

دفاع مناسب طور سے سرانجام دے کر عزت و آبرو کی زندگی بسر کر سکیں گے اور غیر یقینیت

کے غاتمہ سے سیاسی استحکام حاصل ہو تو یہاں کی معاشیات روز بروز ترقی کر سکتی ہے ہماری

تجارتی منڈیاں کھل سکیں گی اور شاہراہیں کھل جائیں۔ تجارت ہر ایک ملک کے ساتھ

جنوں کشمیر سٹیٹ پیپلز کنونشن مجاہد منترال سرینگر

مندرجہ ذیل تجویز شری کرم چند صاحب پیروں (کھٹولہ) کی طرف سے موصول ہوئی ہے

میں صوبہ جوں کے ایک دیہات کا رہنے والا ہوں اور شہروں سے دُور دراز
جنوں کا عام دیہاتی جس ڈھنگ سے سوچتا ہے اس کی ترجیحی کرنے کی کوشش کروں
گا۔ میرے علاقہ میں جو لوگ کنونشن اور اس کی سٹرینگ کمیٹی کے کام سے واقف
رہے ہیں۔ وہ سب سے زیادہ متاثر پانچ سطحی نظام کے آئینی ڈھانچے سے ہوئے ہیں۔
جس کے ذریعہ سیاسی طاقت کو محض سرینگر شہر ہی مرکوز رکھنے کے بجائے ریاست کے
اندھ لینے والے سب لوگوں میں تقسیم کرنا مطلوب ہے۔ اگر یہ نظام لاگو ہو گیا تو گاؤں
میں بسنے والے لوگ بھی کسی حد تک اپنی قسمتوں کے مالک ہوں گے اور حکومتی نظام
چلانے میں شریک ہوں گے۔ میں سمجھتا ہوں کہ اس کے بعد مسئلہ الحاق کی اہمیت بہت
کم ہو جاتی ہے۔ کیونکہ اگر ہم اپنے گھر کے اندرونی طور پر مالک بنیں تو اس بات کا زیادہ

میں خوشنودی اور سیاسی رشوت کے طور پر تقسیم نہیں کیا جائے گا بلکہ تجارت و معاشیات
کی تعمیر کی خاطر معقول سیکورٹی پر بطور قرضہ دیا جائے گا۔ یہ فیصلہ ملک کی اقتصادی
خوشحالی اور سیاسی میلاری و جمہوری رواداری کا باعث ہے اور ممکن ہے اسی وجہ سے
ہندوستان کی اقلیت اور پاکستان کی اقلیت امن کی زندگی بسر کرے !

دستخط حکیم غلام حسین
بادی پورہ تحصیل پٹاؤدرہ

کاروائی کے بغیر ریاست کا ہندوستان سے رشتہ.....!

جس بیرونی فوج کی ہم مدد حاصل کریں گے۔ اس کا ہم سے کیا سلوک ہو گا؟ یہ بھی پتہ نہیں۔ اور اگر ہم کسی طرح کامیاب ہو کر دوسرے ملک کے ساتھ وابستہ ہو بھی سکیں تو اگر ہمارے اندرونی نظام میں کوئی بہتری نہیں ہوتی تو یہ ساری کوشش بے کار ہے۔

سیکورڈیو کریسی کے اصول اور ریاست کی تحریک آزادی کی روایات کو سامنے رکھا جائے۔ تب بھی ہمیں ہندوستان سے الحاق توڑنے کی ضرورت نہیں۔ کیونکہ کشمیر کی ہندوستان سے وابستگی سے ہی ہندوستان کی سیکورڈیو کریسی کی بنیاد مضبوط تھی اور آج کشمیر میں علاقہ کی تحریک ہی اسے کمزور کر رہی ہے۔ پاکستان کا دو قوموں کی تھیوری کو ماننا اور اس میں مسلم اکثریتی ریاست کا شامل ہونا سیکورڈیو کریسی کو مضبوط کرنے میں کوئی مددگار نہیں ہو سکتا۔

ہاں! اگر ہندوستان اور پاکستان کی رضامندی سے کشمیر کا کوئی بھی حل نکلتا ہے تو کشمیر کے لوگوں کو اس میں رکاوٹ نہیں ڈالنی چاہیے۔ بلکہ ہماری سب سے بڑی کوشش یہ ہونی چاہیے کہ دونوں ملکوں کے تعلقات بہتر بنیں اور تمدنی اور تجارتی سطح پر ہمارے تعلقات پاکستان سے بھی قائم ہونے چاہئیں۔

ہندوستان اور پاکستان میں دوستی کرنے میں ہم تب ہی کامیاب ہو سکتے ہیں۔ اگر ریاست کے اندر سیکورڈیو کریسی کی مضبوطی ہو۔ بد قسمتی سے ریاست کے اندر ایسی طاقتیں موجود ہیں جو فرقہ وارانہ نفرت کا پرچار کرتی ہیں۔ اور ہندوستانی حکومت اور ریاستی حکومت میں ریاست کے اندر جمہوریت کو پنپنے کا موقع نہیں دیا۔ اس لئے مسئلہ کشمیر کا حل تلاش کرنے والوں کو سب سے پہلے انہی طاقتوں کا بھی مقابلہ کرنا چاہیے۔ جو سیکورڈیو کریسی اور جمہوریت کی دشمن ہیں۔ انہیں ختم کئے بغیر مسئلہ کشمیر

فرق نہیں پڑتا کہ اس کے بیرونی تعلقات کیا ہیں۔ اسی طرح اگر علاقائی اٹانوی سے جموں اور کشمیر کے دوران کشیدگی کم ہو جائے تو انہیں مسئلہ الحاق پر ایک دوسرے کے الٹ رخ اختیار کرنے کی ضرورت نہیں رہے گی اور اس سوال پر جموں اور کشمیر ایک دوسرے کے احساسات کی زیادہ قدر کر سکیں گے۔

میری رائے میں اگر ہندوستان کی حکومت پانچ سطحی نظام کو ریاست میں نافذ کر کے منظور کرے تو ہمیں الحاق توڑنے کی کوشش نہیں کرنی چاہیے۔ کیونکہ اس طریقہ سے شریک کٹی کی ایک اہم شرط پوری ہوتی ہے جس کے تحت یہ ضروری ہے کہ مسئلہ کشمیر کا حل ریاست کی بھی اکائیوں کے لئے تسلی بخش ہو۔ اگرچہ موہنجو میں دھندلے سم کی سخت مخالفت ہے۔ میری ذاتی رائے میں یہ مخالفت کم ہو سکتی ہے۔ اگر جموں کو ریاست کے اندر سیاسی اقتدار میں برابر کا حصہ ملے اور مرکز سے رشتہ بناتے وقت جموں کی آواز کو اتنا ہی دخل ہو جتنا کشمیر کی آواز کو ہے۔ اسی طرح کشمیر میں ہندوستان کے رشتہ کی مخالفت بھی کم ہو جائے گی۔ اگر جموں کے ساتھ اس کی کشیدگی کم ہو۔

سوال پیدا ہوتا ہے کہ اگر پاکستان بھی پانچ سطحی نظام قبول کرے تو ہمارا رویہ کیا ہونا چاہیے؟ جب تک پاکستان کا اپنا آئینی ڈھانچہ نہیں بنتا۔ تب تک یہ کچھ مشکل ہے کہ وہاں صوبائی اٹانوی کی کیا صورت ہوگی۔ اس کے بعد آزاد کشمیر میں جب تک اس قسم کی اصلاحات نافذ نہیں ہوتیں۔ پاکستان کی یقین دہانیوں کی کوئی وقعت نہیں۔

اگر پاکستان اور آزاد کشمیر میں ہندوستان کی طرح ایک غیر مرکز فیڈرل ڈھانچہ بن بھی جائے تو ہمیں شریک کٹی کی دیگر شرطوں کے مطابق فیصلہ کرنا پڑے گا۔

اگر دونوں ملک پانچ سطحی نظام منظور کر لیں تو ریاست کے موجودہ درجہ کو بدلنے کی کوئی ضرورت نہیں۔ کیونکہ یہ حقیقت پسندی کا بھی تقاضا ہے کہ ایک زبردست فوجی

جوں و کشمیر میڈیٹ پیو پلز کنونشن بجا ہر منزل سرینگر

مندوبہ ذیل تجویز جناب صوفی محمد اکبر صاحب کی طرف سے موصول ہوئی ہے

تجویز:-

گزشتہ سال جوں و کشمیر میڈیٹ پیو پلز کا جو اجلاس ہوا تھا، اس میں حضرات مندوبین نے صراحت جوں و کشمیر کے مسئلہ الحاق کے متعلق اپنے اپنے بیانات پیش کئے تھے یہ سارا مواد سٹریٹنگ کمیٹی اور اس کے تحت سب کمیٹی میں زیر غور آنے کے بعد ایک ریزولوشن بصورت دستاویز A اور دوسری دستاویزات بصورت دستاویز B مرتب کئے گئے ہیں اور ان دستاویزات اور ریزولوشن پاس شدہ اجلاس سابقہ میڈیٹ پیو پلز کنونشن کو حضرات مندوبین کے پاس بھیج کر ان سے خواہش کی گئی ہے کہ ان دستاویزات کی روشنی میں اپنی واضح اور کھٹوس تجویزیں اجلاس ہذا میں پیش کریں۔ اس تعلق میں میراجو جماعتی موقع ہے اور جس کو میں ذاتی طور بھی درست اور جہوری سمجھتا ہوں اور اب بھی درست سمجھ رہا ہوں۔ کنونشن کے گزشتہ اجلاس میں تفصیل کے ساتھ پیش کر کے میں نے واضح کیا

کا کوئی حل نہیں نکل سکتا!

دستخط

کرم چند پیٹروں (کٹھومہ)

یہ بات واضح ہے کہ ریاست کے باشندوں کے رجحانات مختلف اور متضاد سمتوں کو ہیں۔ اس لئے صورت ایسی ہونی چاہیے کہ ان رجحانات کو جہاں تک ممکن ہو سکے ایڈجسٹ کیا جائے۔ اس کے پیش نظر میری رائے میں اگر ریاست جوں و شیر (جیسے کہ اس کی حیثیت ۱۹۴۷ء سے قبل تھی) کو آزاد حیثیت دلائی جائے تو ایسی تجویز کی حمایت حاصل کرنا مشکل نہیں ہے۔ اس میں ہندوستان کے ساتھ ختم ہونے یا پاکستان کے ساتھ مل جانے کے رجحانات ایڈجسٹ کرنے ممکن ہو سکتے ہیں۔ اور ہندوستان نہ ہی پاکستان کو کوئی شکایت ہونی چاہیے۔ انڈیپنڈنس - ۱۹۴۷ء (PENNEDEN) ملنے کی صورت میں ریاست کے باشندوں کو ہندوستان اور پاکستان دونوں ملکوں میں مخصوص شہریت کے حقوق حاصل ہونے چاہئیں۔ دونوں ملکوں کے ساتھ کھلی اور آزادانہ تجارت و آمد و رفت کے حقوق حاصل ہونے چاہئیں۔ ڈیفنس کے معاملے یا تو بین الاقوامی گارنٹی حاصل کی جائے یا ہندوستان و پاکستان اور کشمیر کا مشترکہ بورڈ ڈیفنس کی ذمہ داری اپنے ہاتھ لے۔ اس صورت میں بین الاقوامی گارنٹی بھی مفردی ہوگی۔ یہ عمل تابع رائے عامہ ہوگا۔

دستخط

صوفی محمد اکبر

ہے کہ ہماری جماعت آل جوں و کشمیری اور انیشیاری جس کا کہ میں عہدہ دار بھی ہوں، یہ صاف و مرتب موقف ہے کہ ریاست کے الحاق کا مسئلہ جوں و کشمیر ریاست کے باشندگان کی آزاد رائیشیاری سے طے ہونا چاہیے۔ ہندوستان و پاکستان اور ادارہ اقوام متحدہ اس اقرار کے پابند ہو چکے ہیں کہ آزاد رائیشیاری ہی واحد جمہوری طریقہ ہے۔ جس سے ریاست کے مستقبل کا فیصلہ ہو سکتا ہے۔

آنجہانی پنڈت جواہر لال نہرو جی وزیر اعظم ہندوستان نے بین الاقوامی معاہدوں اور قول و قرار کی روشنی میں بار بار یقین دہانیاں کی تھیں اور فرمایا تھا کہ یہ وعدے صرف کشمیریوں کے لئے ہی نہیں بلکہ ساری دنیا کے لئے ہیں۔ وہ ان یقین دہانیوں میں اس حد تک گئے تھے کہ اگر کشمیری پاکستان کے ساتھ الحاق کریں گے تو ہمیں رنج تو ہوگا۔ لیکن الحاق پاکستان کے ساتھ واقع ہوگا۔ بد قسمتی سے گذشتہ بائیس برسوں میں اس مسئلہ کے حل کرنے میں گونا گوں رکاوٹیں ڈالی گئیں جس کی بنا پر ریاست ایک خطرناک بحران سے گزر رہی ہے۔

بجراں سے کر رہی ہے۔
 اوں اجمار کی کوشش یہ ہونی چاہیے کہ الحاق کا مسئلہ معاہدوں کے مطابق طے
 ہو جائے۔ بالفرض اگر اس میں جیسا کہ امداد کے ساتھ کہا جاتا ہے اور جو میرے نزدیک
 درست نہیں ہے ناقابل عبور وقت ہے تب کوئی ایسا حل تلاش کرنا چاہیے جس
 سے کشمیر کے تقاضوں کو پورا کیا جاسکے۔

یہ امر باعث اطمینان ہے کہ صاحب صدر اور کنونشن کی رائے میں بھی مسئلہ الحاق حل طلب ہے اور کنونشن کے مجوزہ حل کو کبھی رائے عامہ کی تائید حاصل ہونی چاہیے۔ کنونشن کے فیصلہ کے رُوسے ہر کیجن (Refugee) کے مفاد کو زیرِ نظر رکھنا چاہیے۔

ترقی و بہبودی کے لئے بچھاؤ کیا۔

میں ۱۹۳۱ء سے کشمیری عوام کے آندھن کے ساتھ وابستہ ہوں۔ تاریخ گواہ ہے کہ اس ریاست میں کئی موڑ آئے اور ان میں کوئی سدھار دیکھنے میں نہیں آیا۔ عوام آج بھی مالی مشکلات سے دوچار ہیں۔ جب سے ہندوستان دو حصوں میں بٹا ہے تب سے لوگ درپردہ کی زندگی بسر کر رہے ہیں۔ ہمارے علاقہ کو تو کانگریسوں نے سدا کے لئے ہم سے جدا کر دیا۔ ان بھائیوں کی یاد میں جو آج بھی مقبوضہ کشمیر میں بیٹھے ہیں، ہمارا دل تڑپتا ہے۔ انشا اللہ ایک دن ان دونوں کا ملاپ ہوگا اور ساری ریاست ایک ہوگی۔

ہم شہر سے ہی تقیم وطن کے خلاف رہے ہیں اور آج تک ہم کشمیر کی تقیم کو تسلیم نہیں کرتے۔ ہم چاہتے ہیں کہ ریاست ایک ہو اور اس کے لئے اپنی جدوجہد میں مشغول ہیں۔ کچھ غرض مند لوگوں نے اس مصنوعی تقیم کو منظور کیا۔ ایسے ہی زمین تو باٹنی جاسکتی ہے لیکن دلوں کو علاحدہ نہیں کیا جاسکتا۔ کشمیر کشمیر کی جدوجہد کی وجہ سے ہی اس ریاست کو آج دنیا کے نقشہ میں متبرک مقام حاصل ہے۔ ایشیاء کے اس خطے میں امن قائم کرنے کے لئے کشمیری عوام نے جو قربانیاں دی ہیں۔ آنے والے وقتوں میں تاریخ دان ان واقعات کو سنہری غفلوں میں لکھیں گے۔ ہمارا نصب العین اس وقت پورا ہوگا۔ جب کشمیر کے دونوں حصے اکٹھے ہوں گے اور ان میں دیہی پریم اور پیار جاگرت ہوگا۔ جیسا کہ ۱۹۴۷ء سے پہلے تھا۔

ہندوستان نے اس وقت ایک بھاری غلطی کی جب گاندھی کی اس روشنی کی کرن کو جو صبح منوں میں انسانی برادری کی علمبردار ہے کو بلاوجہ ۱۹۵۳ء میں جیل میں ڈال دیا گیا۔ اس وجہ سے عوام کا شیر سرمایہ جوان کی بہتری و بہبودی کے لئے

دستاویز

جوں و کشمیر سٹیٹ پیو پلز کنونشن مجاہد منزل سرنگر

مذہب ذیل تجویز شری راج کمار گٹا پو میر پوری کی طرف سے موصول ہوئی ہے۔

تجزیہ :-

جناب شیر کشمیر شیخ محمد عبداللہ صدر سٹیٹ پیو پلز کانفرنس جوں و کشمیر ڈی ایگٹ

حضرات!

مجھے اس بات کی خوشی ہے کہ آج آپ سب کے درمیان اس ناچیز کو اپنے خیالات ظاہر کرنے کا موقع ملا ہے۔ میں علاقہ میر پور کا رہنے والا ہوں جو اس وقت مقبوضہ کشمیر میں واقع ہے۔ اپنے وطن کی جدائی کو ہم کس حد تک برداشت کر سکتے ہیں۔ عرصہ بایس سال سے ایسے حالات دیکھنے میں آئے ہیں۔ ہمارا نصب العین کشمیر کی پالیسی اور پروگرام کے عین مطابق ہے اور اس کی بدولت دنیا میں امن کو تقویت ملتی ہے۔ اس پر کچھ لوگوں سے آج عوام اس منزل مقصود کی طرف بڑھنے میں مشغول ہیں جس کو کامیاب کرنے کے لئے ہمارے لاکھوں شہیدوں نے اپنا سب کچھ اس دیش کی

سے کئی قانونی دلائل قائم کیے جاسکتے ہیں۔ ایسے ماحول میں جبکہ ریاست جموں و کشمیر کے ایک طرف ہندوستان اور دوسری طرف پاکستان کی فوجیں بیٹھی ہیں۔ اس دعوے کو ختم نہیں کیا جاسکتا۔ بہتر یہی ہے کہ تمام ریاست ایک ہو اور عوام اکٹھے مل کر اس کے بارے میں ایک فیصلہ لیں۔ اگر اس بارے میں کوئی جلد بازی کی گئی تو اس سے کوئی ٹھوس نتائج برآمد نہیں ہو سکتے۔ آج بھی ہم غر سے کہتے ہیں کہ جس کو شیر کشمیر نے کئی بار دھرا رہا ہے کہ سرداری عوام کا پیدائشی حق ہے اور عوام ہی اپنے مستقبل کا فیصلہ کرنے کے مجاز ہیں۔ جسے کشمیر!

آپ کا خادم
راجہ گار گٹاپو۔ میر پوری

مرف ہونا تھا، صنایع کیا گیا۔ آخر کار ہماری ریاست کے آقاؤں کو کچھ آئی اور انھیں اپنی غلطی کا احساس ہو گیا اور شیر کشمیر اور اس کے ساتھیوں کو باعزت رہا کیا گیا۔ ان سب حالات کے باوجود کشمیری عوام کے ارادوں میں کوئی کمی واقعہ نہ ہوئی۔ وہ اپنے اصول پر ڈٹے رہے۔ اس میں شک نہیں۔ جہاں کے عوام کار کیٹر اور حوصلہ مند ہو۔ دنیا کی کوئی طاقت ان کو اپنے حقوق سے محروم نہیں کر سکتی۔

وقت شاہد ہے کہ ہندوستان نے کشمیر کے ساتھ کئی اتار چڑھاؤ دیکھے ہیں۔ لیکن کشمیری عوام شیر کشمیر کی رہنمائی میں ان سب میں سرخرو ہو کر نکلے اور آئندہ کبھی ریاست کی بہتری و بہبودی میں شغول ہیں۔ کشمیر کی خوش قسمتی ہے کہ اس دیش اور قوم کو شیخ عبداللہ حبیب ایماندار اور خدا دوست رہنما ملا ہے۔ جس نے کہ اپنی ساری زندگی قوم کے نشوونما کے لئے لگا دی ہے۔ تاریخ گواہ ہے کہ اس رہنما نے اپنے تمام عیش و آرام کو بھٹو کر مار کر جدوجہد کا راستہ اختیار کیا ہے۔ دنیا میں بہت کم رہنما ایسے ہوتے ہیں جنہوں نے اپنے اصولوں کی خاطر دنیا کی تمام آرام دہ اشیاء کو ٹھکرا کر جدوجہد کا راستہ اختیار کیا ہو۔

آج تک کشمیر ہندوستان بلکہ دنیا کو سیکورازم کا پیغام دیتا رہا ہے شیخ عبداللہ کی رہنمائی میں تمام قسم کے مختلف فرقہ و نظریات کے لوگ آپس میں بھائیوں کی طرح رہتے ہیں اور آج تک ان کے پیار اور برہم میں کوئی فرق نہیں آیا۔ جہاں ہندوستان گاندھی جی کے آدرش کو بھلا بیٹھا ہے۔ وہاں کشمیر نے اس آدرش کو ہر حالت میں زندہ رکھا ہے۔ کشمیر میں آج تک ایک بھی مثال نہیں ملتی جس سے کہ ثابت ہو کہ یہاں کے عوام گاندھی کے مشن کو بھلائے بیٹھے ہوں۔ اب مختلف نظریات رکھنے والے دفعہ تمام کو ہٹانے کے بارے میں کچھ باتیں کر رہے ہیں۔ ان کو یاد ہونا چاہیے کہ اس کے ہٹانے

ہندوستان اور پاکستان کے دوستانہ تعلقات بڑھ سکتے ہیں۔

(۳) ہندوستان اور پاکستان کو آزاد ہوئے تیس سال ہو گئے۔ دنیا اس بات کو جانتی ہے کہ ریاست آزاد نہیں ہے۔ سلامتی کونسل میں ۱۹۴۷ء کی قرارداد کے تحت ریزولوشن پڑھ لیا ہے۔ تمام دنیا کو اپنی اپنی آزادی کا حق مل گیا۔ مگر ہندوستان اور پاکستان کے لیڈروں نے اپنے اپنی کریسوں پر بیٹھے بیٹھے پچاس لاکھ لوگوں کا گلا گھونٹ دیا ہے۔ لہذا یہاں کے عوام ہی کو موقع دیا جائے کہ وہ حق خود ارادیت کا فیصلہ خود کریں۔ یہاں کی جو بیکاری ہے، غربت ہے۔ آج ریاست کے لوگوں کی وہ پوزیشن ہے کہ کہیں پر عوام بانی کے لئے تڑپ رہے ہیں۔ کہیں پر روٹی کے بغیر بھوکے رہ رہے ہیں۔ ان تمام بیکاریوں کی بھی وجہ ہے کہ جس کی بنا پر یہاں کے عوام سکھی نہیں ہیں۔ سکھی ہونے کے بجائے سخت دکھی ہیں اور ان وجوہات سے یہاں عوام آزاد نہیں ہیں۔ جب مسئلہ کشمیر حل ہوگا تو تمام مسائل بھی خود بخود حل ہو جائیں گے۔

(۴) ہندوستان اور پاکستان کے موجودہ لیڈر ریاست کے غریب عوام کے خون کی ہونی کھیلنا چاہتے ہیں اور ریاست کے غریب عوام کو ٹیکسوں میں فروخت کرنا چاہتے ہیں۔ یا کہ ریاست میں انسانوں کے بجائے بھیڑ بکریاں ہیں۔ جن کو جلد صرصر مٹی ادھر لگایا جائے۔

(۵) ہندوستان کی فوج واپس چلی جائے۔ جو کہ ریاست کے لئے بجائے بچاؤ کے وبال جان ہے۔

(۶) رائٹساری سلامتی کونسل کی زیر نگرانی کرائی جائے۔

(۷) رائٹساری میں ہندوپاک کی فوج کے بجائے ریاستی فوج یعنی لینٹیا اور بین الاقوامی فوج مقرر کی جانی چاہیے۔

جوں و کشمیر سٹیٹ پیپلز کونشن مجاہد منزل سرینگر

مذہب ذیل تجویز شری بحکمت ددنی چند صاحب بھدر وادہ کی طرف سے
موصول ہوئی ہے۔

تجویز :-

(۱) مجاہد رائٹساری ہی ایک تنظیم ہے۔ جس کی رائے کے مطابق ریاست آزاد ہو سکتی ہے۔ کیونکہ ایک طرف سے ریاست کا کچھ حصہ پاکستان کے قبضہ میں ہے۔ اور دوسری طرف سے ریاست جوں و کشمیر پر ہندوستان کا قبضہ ہے۔

(۲) ۱۹۴۷ء کی قرارداد کے تحت سلامتی کونسل میں جو ریزولوشن موجود ہے۔ اس کے تحت یہاں کے عوام کی رائے کے مطابق رائٹساری کروائی جائے۔ کیونکہ ہند اور پاکستان کے ان ناپاک ارادوں نے اپنے ملکوں کی ترقی کے بجائے تباہی اور بربادی کا ثبوت دیا ہے۔ ان کو چاہیے کہ دونوں ملک آپس میں سمجھوتہ کر لیں اور ریاست کے عوام سے پوچھیں اور ان کی رائے کے مطابق مسئلہ کو حل کریں۔ یہی ایک صورت ہے کہ

تلاش کرنے کے لئے جگہ بندی لائن کے دونوں طرف کے رہنماؤں کا کنونشن بلایا جائے۔

(۱۱) موجودہ قانون ساز اسمبلی کو توڑ کر ریاست میں صدارتی حکومت قائم کی جائے۔ اس کے بعد ریاست میں ایک حقیقی جمہوری حکومت بنائی جائے۔ تاکہ یہ حکومت ریاست میں مسئلہ کے آخری حل کے لئے سازگار ماحول پیدا کرنے کے لئے کوشش کرے۔

(۱۲) ۱۹۵۲ء سے ریاست میں نافذ کردہ تمام ہندوستانی قوانین واپس لے لئے جائیں۔

(۱۳) موجودہ آئینی حدود کے اندر مکمل خود مختاری اس وقت دی جائے جب تک کہ مسئلہ الحاق کے آخری حل کے لئے خوشگوار ماحول قائم نہیں ہو جاتا۔

(۱۴) ریاست کا آخری حل صرف رائٹساری ہے اور ہندوستان اور پاکستان کے دوستی قائم رہ سکتی ہے۔ خوشحالی پیدا ہو سکتی ہے۔ تجارتی راستے کھولے جانے چاہئیں۔

(۱۵) اندرونی انتظام کے لئے ایک قومی اسمبلی کا انتخاب آزادانہ و مضفانہ طریقہ پر کرایا جائے اور اس میں سے ایک عوامی حکومت بنائی جائے اور بعد میں وہ عوام کی رائے کے مطابق حکومت کرے جو عوام چاہے۔ عوام کی بنائی ہوئی اسمبلی حکومت کرے۔ سلامتی کونسل کی فوج اور نمائندے جن کی نگرانی میں عوام کی رائے لی جائے تاکہ چور بازار ختم ہو اور اصلیت کا پتہ لگے۔

بھگت دونی چند بھدرہواہ

(۸) ریاستی باشندوں کا سب سے بڑا مسئلہ غربت ہے۔ بیکاری ہے۔ دور دراز پہاڑی علاقوں میں دیہاتی لوگوں کو کوئی نہیں پوچھتا۔ مگر آج کا ہر انسان اس بات کو گنجہ چکھا ہے۔ آخروہ کیا ہے؟ اور آزادی حاصل کرنے کے لئے میدان میں اترتے ہیں۔ مگر تمام بیاریوں کا علاج مسئلہ کشمیر کا حل ہے۔ تمام لیڈروں سے اپیل کی جاتی ہے کہ وہ سر سے سر جوڑ کر بھائی چارے کا رشتہ قائم کر لیں اور اس مسئلہ کو حل کرنے کے لئے کوئی نیک رائے پاس کریں۔ جس سے یہاں کے عوام کی مرضی ہو۔ عوام کی مرضی کے مطابق فیصلہ ہونا چاہیے۔ نہیں تو دونوں ملک برباد ہو جائیں گے اور آخر کار دی ہوگا کہ ہماری اندرونی کرداریوں کی وجہ سے ہندو پاک دونوں ملک کسی کا شکار بن جائیں گے۔ ریاست کی عوام جیسی بھی ہے ویسی..... مگر دونوں ملکوں کے توجہ صرف ڈیفنس میں لگی ہے۔ تمام عوام پر طرح طرح کے ٹیکس لگائے گئے ہیں اور ڈیفنس مضبوط کر رہے ہیں۔ دنیا جانتی ہے کہ مسئلہ کشمیر کی بنا پر ہی دونوں ملک جنگی تیاریاں کر رہے ہیں۔ سب سے پہلے یہاں وہ اسمبلی قائم کی جائے جو بعد میں اس کا فیصلہ خود عوام کی مرضی کے مطابق کرے۔

(۹) محاذ رائٹساری کی بنیاد ہی ریاستی عوام میں ہندو مسلم سکھ اتحاد قائم ہو سکتا ہے اور ریاست کے مفادات جو کہ دن بدن بڑھتے چلے جا رہے ہیں، ختم ہو سکتے ہیں۔ کیونکہ محاذ رائٹساری ہی کی جماعت وہ جماعت ہے۔ جو کہ تمام فرقہ وارانہ عناصر سے بالاتر ہے۔ اس کی پناہ میں ہی ریاستی پسماندہ اقوام ترقی کی منزل کی طرف بڑھ سکتی ہے۔ جو کہ قدیم عرصہ سے اس وقت تک دبا کر رکھی ہے۔

(۱۰) ہندوستان اور پاکستان کی طرف سے ریاستی عوام کے لئے منظور کردہ حق خود ارادیت حاصل کرنے کے لئے جدوجہد شروع کی جائے۔ بعد ازاں صل کو

امن و سلامتی کو پائیدار بنیادوں پر مستحکم کرنے میں معروف عمل ہیں تاکہ ہندو پاک کے
 کروڑوں عوام حقیقی آزادی سے پورا فائدہ اٹھا سکیں اور اس کے ساتھ ہی مسئلہ
 کشمیر کی الجھنیں دور کر کے باعزت تصفیہ ممکن ہو سکے۔ جو ہندو پاک کے خوشگوار تعلقات
 کی استواری میں سدراہ بنایا گیا ہے۔ مسئلہ کشمیر ہندو پاک کے درمیان وقار کا سوال بنایا
 گیا ہے۔ حالانکہ یہ صرف ایک انسانی مسئلہ ہے۔ جو لاکھوں کشمیری عوام سے وابستہ ہے۔
 مشکلات و مصائب میں گھری ہوئی کشمیری قوم تاحیروز آزادی کی عظیم نعمت سے محروم
 ہے اور گزشتہ چوتھائی صدی سے خط متار کے آر پار تباہ حال ہے۔ یہ صورت حالات
 انسانیت، جمہوریت اور عدل و انصاف کے نہ صرف خلاف ہے۔ بلکہ موجودہ مہذب دنیا
 کے لئے عبرت بھی اور خالق کائنات کی سب سے عظیم تخلیق انسان ہے۔ یہ اس کے عزم و
 عمل پر موقوف ہے کہ وہ عظیم رہے یا حقیر بن جائے۔ آج کا انسان اپنے عروج کمال کے
 جھنڈے چاند پر گاڑ رہا ہے۔ لیکن بنی نوع انسان کے مسائل حل نہ کرے۔ بہت
 تعجب ہے۔ محذرت ہے کہ اس بے انصافی اور تمگری کو ختم کرنے کی باشعور جدوجہد کی
 جائے۔ اسی مقدس غرض کی بجا آوری کی غرض سے آج کنونشن بلایا گیا ہے۔ لازمی ہے کہ
 تمام مندوبین حضرات متفقہ طور پر قانون و انصاف اور جمہوریت کا جھنڈا سر بلند کریں اور
 ”سرداری عوام کا حق ہے“ صحیح ثابت کریں! لہذا ہندو پاک کے درمیان امن و دوستی
 کی راہ میں تصفیہ کشمیر کو سدراہ بنانے کی تمام کوششیں دہرائیں تاکہ مظلوم و مجبور
 لاکھوں کشمیری عوام بھی آزادی کی نعمت سے فائدہ اٹھائیں۔

محاذِ کشمیری دیانت داری سے مسئلہ کشمیر کے تین فرقی تسلیم کرتا ہے۔ ہندو
 پاکستان اور کشمیر۔ لیکن کشمیر کلیدی پوزیشن رکھتا ہے اور مالک بھی ہے اور کشمیری عوام
 ہی گزشتہ ۴۴ سال سے متواتر مشکلات و مصائب سے دوچار ہیں۔ چاہیے تھا کہ مسئلہ

جنوں کشمیر میٹنگ پیو پلز کنونشن مجاہد منزل سرینگر

مندوبہ ذیل تجویز جناب علاؤ الدین میر صاحب حضرت بل سرینگر کی طرف سے
 موصول ہوئی ہے۔

تجویز:-

”صدر محترم و مندوبین حضرات!

مقام سرت ہے کہ آج کنونشن کا دورا
 عام اجلاس ہو رہا ہے۔ دعا ہے کہ یہ اجلاس ہندو پاک امن دوستی کے لئے بامراد ہو
 اور لاکھوں کشمیری عوام کے لئے خوشی و غری کا ضامن ہو!
 کنونشن کی غرض و غایت ہندو پاک امن دوستی اور مسئلہ کشمیر کا باعزت
 تصفیہ کرنا مطلوب ہے۔ یقین ہے کہ حضرات مندوبین گزشتہ اجلاس کی کاروائی
 مقالات اور بیانات کی پیش رفت پر غور کر چکے ہوں گے اور نتائج رد عمل سے واقف
 ہوں گے۔ کوئی شک نہیں کہ تمام مندوبین حضرات خلوص دل سے ہندو پاک
 امن دوستی کو یقینی بنانے کے لئے اپنی بھرپور صلاحیت سے کوشاں ہے اور برصغیر کے

(۲) ہندوپاک ریاست کی سالمیت اور وحدت بحال کر کے تسلیم کرے۔
(۳) ریاست کے تین امور ڈیفنس، امور خارجہ اور رسل و رسائل پر مشترکہ کنٹرول کرے۔

(۴) ریاست کی بڑی شاہراہ بارہمولہ راولپنڈی کھول کر آنے جانے کی پابندی ختم کرے۔

(۵) ریاست کے لئے اندرونی خود مختاری کا اہتمام کرے اور نمائندہ حکومت کو اختیارات تفویض کرے۔

(۶) ہر دس سال ایسی کنونشن کے ذریعے حالات اور واقعات کا تجزیہ کر کے استفادہ کرے۔

میرے خیال میں ہندوستان و پاکستان کے عوام جمہوری اقدار کے بہترین قدردان ہیں اور مسئلہ کشمیر کے پر امن تصفیہ کے متمنی بھی۔ سر دست عبوری دور کا تجربہ کر کے نتائج کا انتظار کیا جائے اور اس دوران ہندوستان اور پاکستان بھی باہمی طور تجارت و ثقافت کے تعلقات بڑھانے کا انتظام کرے۔ آنے والے زمانے کی اہولیات دے کر عوام میں جذبہ غیر سنگالی اجاگر کرے۔ ممکن ہے دونوں مملکتیں مستقبل قریب میں آپسی شک و شبہ سے بچاؤ پیدا کر سکیں اور پائیدار دوستی کی راہ پیدا ہو۔

علامہ الدین میر حضرت بل سرنگر

کشمیر کو حقیقت پسندانہ مسئلہ جمہوری اصول کے آسان ترین طرز استصواب رلے عام کے تحت طے کیا جاتا اور نتائج کو حتمی قرار دے کر فریقین تسلیم کرتے۔ لیکن اس طریقہ کار سے خدشات و خطرات کا خوف دلایا جاتا ہے کہ ہندوپاک کے درمیان فرقہ وارانہ تعلقات خراب ہونے کا احتمال ہے اور یہ کہ کوئی حکومت عوامی ناراضگی کی وجہ سے ٹھہر نہیں سکتی۔ انہی خدشات سے پیدا ہوئی الجھن کو دور کرنے کی نازک ترین ذمہ داری کنونشن پر ڈالی گئی ہے کہ تمام تر مصلحتیں کام میں لا کر متبادل تجاویز کے تحت مسئلہ کشمیر طے کرنے کی راہیں تلاش کریں تاکہ ہندوپاک کے کروڑوں عوام باعزت آبرو مندانہ طور باہمی امن و سلامتی کی دوستی کی طرف مائل ہو سکتی ہے اور اس کے ساتھ ہی لاکھوں کشمیری عوام کے لئے آزادی کا امکان روشن ہو اور جو خالق کائنات نے کشمیر کو جنت ارضی کی صورت میں سرفرازی بخشی ہے۔ اس کی بقا کا سامان پیدا کیا جائے۔

جمہوریت کا صحیح مفہوم یہی ہے کہ اختلافی مسائل پر امن بات چیت کے ذریعے طرز ما بہتر ہے۔ اس لئے مندرجہ بین حضرات پر فرضی عائد ہوتا ہے کہ آج کی نشست میں ہی کوئی باعزت متبادل طریقہ اپنا کر مسئلہ کشمیر کو حل کرنے کی پوری کوشش کریں۔

خاذا ریشماری کے نصب العین سے استفادہ کرتے ہوئے راقم کی دانست میں ہندوستان اور پاکستان کو باہمی طور امن و سلامتی اور دوستی کی اشد ضرورت ہے۔ لیکن مسئلہ کشمیر کی رکاوٹ سدا رہے۔ ضرورت ہے کہ ہندوستان اور پاکستان کشمیر گتھی کو مہلدار طے کرنا قبول کرے۔ اس کے لئے میری تجویز کے مطابق مسئلہ کشمیر سر دست ایک عبوری وقت کے لئے دونوں مملکتیں مشترکہ کنٹرول برائے تین امور کے اشتراک پر متفق ہوں۔

یونیورسٹائی کی رو کا قانونی حیثیت کا حصہ۔

(۱) ہندوستان و پاکستان عبوری دور ۱۰ سال مقرر کرے۔

کرایا جائے۔ تاکہ اسمبلی ریاست کا اندرونی نظم و نسق سنبھالے۔

(۴) ریاست جموں و کشمیر کا دفاع ہندوستان، پاکستان اور ریاست جموں و کشمیر مشترکہ طور پر کرے اور تینوں فریقوں کے تین تین ہزار یا ضرورت کے مطابق اس سے زیادہ فوج دفاع کے لئے استعمال کئے جائیں۔ زائد افواج کو ریاست سے نکال دیا جائے۔

(۵) ریاست کا تجارت اور میل جول دونوں ملکوں (ہندوستان و پاکستان) کے ساتھ بحال کیا جائے۔

(۶) ہندوستان، پاکستان اور کشمیر کے رہنما کبھی کبھی ایک جگہ ملا کریں۔ تاکہ ایک دوستانہ فضا قائم ہو۔

(۷) پانچ سال کے بعد ریاست کے عوام کو یہ حق دیا جائے کہ ریاست کے مستقبل کے بارے میں آزاد اور غیر جانبدار رائے دہی کے ذریعہ اپنی رائے ظاہر کریں۔ اس میں ہندوستان کے ساتھ یا پاکستان کے ساتھ الحاق یا ایک خود مختار ریاست تینوں صورتوں میں شامل ہوں۔

(۸) رائے دہی کا انتظام بین الاقوامی ہندوستان، پاکستان، کشمیر اور چند غیر جانبدار اور دوست ممالک کے نمائندے مشترکہ طور پر کریں۔ رائے دہی میں برصغیر ہندوستان کے عوام کے جذبات کو مدنظر رکھا جائے۔

(۹) رائے دہی کے فوراً بعد اس حل پر عملدرآمد کیا جائے جس کو ریاست کے عوام کی اکثریت حاصل ہو۔

عبدالصمد ٹاک ایڈوکیٹ

دستاویز ۱۰

جموں و کشمیر سٹیٹ پریپرز کنونشن مجاہد منزل سرینگر

مندرجہ ذیل تجویز جناب عبدالصمد ٹاک صاحب ایڈوکیٹ ڈورو کی طرف سے موصول ہوئی۔

تجویز :-

”مسئلہ کشمیر کا حل :-

میری رائے ہے کہ مسئلہ کشمیر کو حل کرنے کے لئے مندرجہ ذیل طریقہ کار استعمال کیا جائے۔

(۱) درمیانی وقفہ کے لئے انتظام کیا جائے اور کچھ مقررہ مدت کے بعد اس مسئلہ کو تہی طور حل کیا جائے۔

(۲) کشمیر کے دونوں حصوں کو ملا کر ۱۹۴۷ء سے قبل کی حالت (ریاست جموں و کشمیر کی سابقہ پوزیشن) کو بحال کیا جائے۔ یعنی حد متارہ کو ختم کر کے موجودہ آزاد کشمیر اور جموں و کشمیر کو ملا یا جائے۔

(۳) ریاست جموں و کشمیر کی اسمبلی کا آزادانہ اور غیر جانبدارانہ طریقہ سے انتخاب

عمل کرانے کے لئے دباؤ ڈالا جائے۔ تاکہ دونوں ممالک ریزولیوشن کے مطابق رائٹسڈی کرنے کے لئے تیار ہو جائیں۔

(۲) رائٹسڈی صرف ہندوستان یا پاکستان کے ساتھ الحاق تک ہی محدود رکھی جائے۔ کسی تیسری راہ کو تسلیم نہ کیا جائے۔

رائٹسڈی کے ذریعہ ریاست کے مستقبل کا فیصلہ کرنا ہندوستان اور پاکستان سے منظور کرنے کے بعد پہلے مندرجہ ذیل شرائط کو پورا کرایا جائے۔

۱، ریاست سے ہندوستان اور پاکستان کی فوجوں کی واپسی اور ریاستی فوج کی تقرری۔

(۲) جنگ بندی لائن کے دونوں طرف پناہ گزینوں کو پھر بسایا جائے۔

(۳) جوں کو کشمیر قانون ساز اسمبلی کے لئے آزادانہ انتخاب اور نظام چلانے کے لئے عوامی حکومت کا قیام عمل میں لایا جائے۔

(۴) ہندوستان اور پاکستان میں مکمل دوتانہ ماحول قائم کرنے کے لئے کشمیر کے معتبر رہنماؤں کے تعاون سے مؤثر اقدامات کئے جائیں۔

صوفی غلام قادر پٹنوی

دستاویز ۱۱

جوں کو کشمیر سٹیٹ پیپلز کنونشن محب اہد منزل سرینگر

مندرجہ ذیل تجویز جناب صوفی غلام قادر صاحب پٹنوی ساکنہ پٹن کی طرف سے موصول ہوئی۔

تجویز:-

”ریاست جوں کو کشمیر کے مل طلب مسئلہ کے مکمل اور منصفانہ حل کے لئے سٹرٹنگ کمیٹی کے ریزولیوشن اور دستاویزات ب’ ج کی روشنی میں مندرجہ ذیل تجویز کنونشن کے ایجنڈے میں شامل کر دی جائے۔

تجویز:-

ریاست جوں کو کشمیر کے مستقبل کا فیصلہ صرف رائٹسڈی کے ذریعہ ہو سکتا ہے۔ آزادانہ رائٹسڈی کے لئے ماحول پیدا کرنا ضروری ہے۔ جس کے لئے دستاویز ب’ میں شامل کی گئی تجاویز اور شرائط پر عمل کرنا بہت ضروری ہے۔

۱، یہ کہ اقوام متحدہ کے پاس کردہ ریزولیوشن پر ہندوستان اور پاکستان سے

گئی ہے۔ اسی کی ذمہ داری کرانے سے پہلے ریاست کو پانچ یا دس سال تک
ادانہ اقوام متحدہ کی تجویز میں رکھا جائے گا۔ اس میں یہ اضافہ ہو کہ اس دوران جناب
شیر کشمیر کو پاکستان اور ہندوستان کا دورہ کرنے کی پوری سہولیتیں مہیا کی جائیں اور
آخر پر رائے شماری سے ہی حل ہونا ضروری ہے۔ آزادانہ رائے شماری سے ہی تجویز رنج
کی تعمیل بھی ہوتی ہے۔

پیر عبدالغنی محمد قاضی اسلام آباد کشمیر

جوں کو کشمیر ٹیٹ پیولز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب پیر عبدالغنی صاحب ساکن قاضی محمد اسلام آباد کی طرف
سے موصول ہوئی۔

تجویز:-
”سب کمیٹی نے جو جائزہ مرتب کیا ہے قابل تریف اور قابل مبارک
ہے۔ تمام تجاویز کا جو مطلب ہے۔ وہ انھوں نے ایک سمندر کو کونے میں ڈالا ہے۔
میں نے پہلے اجلاس میں بھی اپنی یہ رائے ظاہر کی ہے کہ رائے شماری کے بغیر کوئی بھی حل
پائیدار اور اطمینان بخش نہیں ہوگا۔ جیسا کہ ہمیں تجویزوں اور روز بروز مصیبتوں کے برداشت
کرنے سے ثابت ہو رہا ہے۔

میری گزارش ہے کہ سب کمیٹی کی تجاویز میں دستاویز (ب) تجویز ”الف“...
”رائے شماری کے ذریعہ حل“ سب سے بہترین تجویز ہے۔ جس کی وضاحت کمیٹی نے مکمل طور

جوں و کشیر سٹیٹ پریپرز کنونشن عباد منزل سرینگر

مندرجہ ذیل تجویز شری جہونت سنگھ تاجر صاحب جوں کی طرف سے
موصول ہوئی ہے۔

تجویز:-

”ہمارا موقف اور رائے کا خلاصہ جو اختصار میں مسئلہ کشمیر کے حل کے لئے

ہے۔ وہ یوں ہے:-

کہ ہم ریاست کو متحدہ رکھنے کے حق میں ہیں اور ریاست کو بغیر سٹیٹ رکھنے
کے حق میں ہیں اور مانگ کرتے ہیں۔ اس کے علاوہ پاکستان اور ہندوستان سے پُر غور
الفاظ میں حق خود ارادیت چاہتے ہیں۔

جہونت سنگھ تاجر چیف ایڈیٹر

جوں

جوں و کشیر سٹیٹ پریپرز کنونشن عباد منزل سرینگر

مندرجہ ذیل تجویز جناب غلام رسول شاہ صاحب کھنہ بل اسلام آباد کی طرف
سے موصول ہوئی ہے۔

تجویز:-

”کنونشن کی سٹرنگ کٹی کے آئین کے تحت ریاست کے تمام حصوں جوں،
کشمیر، لداخ اور گلگت کے مفادات کو زیر نظر رکھ کر کوئی گٹھوس تجویز کشمیر کے مستقبل کے
بارے میں پیش کرنا مطلوب ہے۔

میری رائے میں ریاست جوں و کشیر (جو ہمارا جہری مسئلہ کے وقت میں یعنی
۱۹۴۷ء سے قبل ریاست کا نقشہ تھا) کو پانچ یا دس سال کے لئے یو۔ این۔ او۔ ٹریسٹی
سٹیپ میں دینا چاہیے اور اس کے بعد عوام کی آزادانہ رائے سے ریاست کے مستقبل کا
فیصلہ ہونا چاہیے۔

غلام رسول شاہ کھنہ بل اسلام آباد کشمیر

کونسی رائے ہندوستان کے بارے میں آئندہ قائم کی جائے گی یہ کیا معلوم وعدہ دے کر پھر ہندوستان وعدہ غلامی کو بے گاہ اس کے لئے مکمل طور گارنٹی دینے کی ضرورت ہے اور جہاں تک یہاں کے عوام میں اکثریت کا تعلق ہے۔ وہ مسئلہ کو غیر مناسب بلکہ رائیتماری کے ذریعہ طے کرنے کے خواہش مند ہیں اور مسئلہ کے تین فریق ہیں۔ ہندوستان، پاکستان اور کشمیر۔ ان تینوں فریقوں کے مشورہ کے بعد اس مسئلہ کا مجمع حل نکالا جائے گا اور وہی ہندوستان و پاکستان اور کشمیر کے دفاع کی ضمانت ہیں۔ مختصر اس بارے میں مندرجہ ذیل تجویز پیش کرتا ہوں:-

۱، ریاست جوں و کشمیر کا دفاع پانچ سال تک ہندوستان و پاکستان اور کشمیر مشترکہ طور کریں اور ہر فریق کے پانچ پانچ ہزار فوج رکھی جائے۔ باقی فوج کو یہاں سے نکال دیا جائے۔

۲، راولپنڈی کلاں تھکول کر ریاست کا تجارت اور میل جول دونوں ملکوں ہندوستان اور پاکستان کے ساتھ بحال کی جائے۔

۳، پانچ سال تک ٹرمٹی شپ کے اندر رکھ کر اور پانچ سال گزرنے کے بعد ریاست کے عوام کو یہ حق دیا جائے کہ وہ ریاست کے مستقبل کے بارے میں آزادانہ، غیر جانبدارانہ رائیتماری کے ذریعہ اپنی رائے ظاہر کریں۔ کیا یہاں کے عوام ہندوستان یا پاکستان کے ساتھ الحاق کریں یا ساری ریاست جوں و کشمیر کو خود مختار بنانے کے خواہاں ہوں مگر یہ صرف یہاں کے عوام بنیر مذہب و ملت طے کر سکتے ہیں۔

۴، رائیتماری کا انتظام بین الاقوامہ ہندوستان اور پاکستان کے نمائندے مشترکہ طور کریں۔

۵، ریاست جوں و کشمیر کے اسبلی کا آزادانہ اور غیر جانبدارانہ طریقہ سے

جوں و کشمیر سٹیٹ پیپلز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب عبدالسلام دیو صاحب اسلام آباد کشمیر کی طرف سے موصول ہوئی۔

تجویر:-

”مسئلہ کشمیر کے حل کے لئے میری ذاتی رائے:-

سال ۱۹۴۷ء سے یہ مسئلہ کشمیر کے حل کا بغور مطالعہ کرتا رہا۔ اس مسئلہ کے لئے عوام کو کافی مصائب اور مشکلات کا سامنا کرنا پڑا اور پھر یہاں کی لیڈر شپ کو سالہا سال قید و بند میں رکھا گیا اور ہزار ہا باشندگان ریاست کو جیلوں میں ڈال دیا گیا اور تقریباً پندرہ سو کو شہید کر دیا گیا۔ پھر بھی آج تک یہاں غیر یقینیت ختم نہ ہو سکی اور نہ ہی ملک نے کوئی ترقی کی۔ صرف فوج اور پولیس پر بھاری رقمیں خرچ کی جاتی ہیں۔

جب سال ۱۹۴۷ء میں کئے گئے وعدوں کو ہندوستان نے پورا نہ کیا۔ اب

جوں و کشمیر ٹیٹ پوپلز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب غلام نبی دانی صاحب حاجی تحصیل سوناواری کی
طرف سے موصول ہوئی ہے۔

تجویز :-

”جوں و کشمیر ٹیٹ پوپلز کنونشن کی سٹرینگ کمیٹی کی ہدایت کے قیام میں عسری
ہے کہ میری حقیر رائے میں ریاست یاسی منقبل کے بارے میں تجویز ج عارضی انتظامات
اور ایک مینہ مدت کے بعد آخری فیصلہ قابل عمل طریقہ کار ہے۔ اس دوران :-
۱) عارضی اقدام کے طور پر ریاست کو ادارہ اقوام متحدہ میں رکھا جاوے۔
۲) عارضی وقفہ کے دوران ریاست کے اندرونی دفاع کے لئے ریاستی
فوج یا لیشیا استعمال کی جائے اور اس دوران ہندوستان یا پاکستان بیرونی دفاع
کی مشترکہ مدداری ہندوستان اور پاکستان سنبھالیں۔
۳) اندرونی انتظام کے لئے ایک قوی اسمبلی کا مین الاقوام کی نگرانی میں
انتخاب کر لائیں۔“

انتخاب کر لیا جائے۔ تاکہ عوام کے چنے ہوئے نمائندے یہاں کا اندرونی نظم و نسق
سنبھالیں۔

۴) رائیہاوی میں برصغیر ہندوستان و پاکستان کے عوام کے جذبات کو مد نظر
رکھا جائے اور رائیہاوی کے فوراً بعد اس محل پر عملدرآمد کیا جائے جس کو ریاست کے
عوام کی اکثریت حاصل ہو۔

عبدالسلام دیوا اسلام آباد کشمیر

جوں و کشمیر ٹیٹ پیولز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب حاجی عبدالمنی شاہ ویری اسلام آباد کشمیر کی طرف سے موصول ہوئی:

تجویز:-

”آپ کے ارسال کردہ کاغذات کا مطالعہ کیا اور میری ذاتی رائے میں مسئلہ کشمیر کے حل کے لئے مندرجہ ذیل تجویز پیش کرتا ہوں

تجویز:-

۱، تین سال تک ریاست جوں و کشمیر کو ٹرٹی شپ کے تحت رکھا جائے۔
۲، پانچ سال گزرنے کے بعد جوں و کشمیر کے عوام کو یہ حق دیا جائے کہ وہ رائے شہادی کے ذریعہ اس مسئلہ کو طے کریں کہ کیا وہ ہندوستان یا پاکستان کے ساتھ الحاق کرنا چاہتے ہیں یا خود مختار رہنا چاہتے ہیں؟
۳، ریاست جوں و کشمیر کا دفاع ہندوستان، پاکستان اور ہندوستان کرنے کے ذمہ دار قرار دیئے جائیں۔

۴، ریاست جوں و کشمیر کا دفاع ہندوستان، پاکستان اس مدت

(۵) موجودہ آئینی حدود کے اندر مکمل خود مختاری اس وقت تک دی جائے۔
جب تک کہ الحاق کے مسئلہ کے آخری حل کے لئے خوشگوار ماحول قائم نہیں کیا جاتا۔

(۵) اس دوران ہندوستان، پاکستان اور کشمیر کے نمائندوں کی کمیٹی تشکیل دی جائے۔ جن میں مسئلہ حل پر از سر نو غور کیا جاسکے۔

(۶) ریاستی نمائندوں میں آزاد کشمیر کے نمائندے شامل کئے جائیں اور ریاستی حکومت میں ان کو بھی شامل کیا جائے۔

(۷) جنگ بندی لائن کو ختم کیا جائے۔ علامنی دور میں بانہال کے روڈ کو طرح بار بولہ روڈ کھلا چھوڑا جائے۔

(۸) بین الاقوامی نگرانی کے ذریعہ ریاست کو صرف چار حصوں میں منقسم کیا جائے

(الف) آزاد کشمیر، گلگت، ہونہرہ۔ یاسین۔ چترال

(ب) وادی کشمیر، ارد گرد علاقے، جہاں جہاں کشمیری زبان بولی جاتی ہے۔

(ج) جوں، حد بندی پٹی ٹاپ سے لے کر لکھن پور تک

(د) لوانج، تحصیل اسکردو، تحصیل کرگل، تحصیل لہرہ، سوات، وہ علاقے

جن پر چین نے قبضہ جمایا ہے۔

غلام نبی دانی حاجن تحصیل سونا ولدی

جنوں کو کشمیر سٹیٹ پریولز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب خواجہ غلام احمد کھیلوالہ عظیم بمبئی کی طرف سے
موصول ہوئی ہے۔

تجویز:-

”جناب والا!

کنونشن کے پہلے اجلاس اکتوبر ۱۹۹۶ء میں بحیثیت ڈپٹی گیٹ
کے شریک ہونے پر مجھے یہ احساس ہوا کہ اس کنونشن کو اگر ”مرتبہ خوانی“ کا لیبل دیا
جاتا تو بہتر تھا۔ کیونکہ اکثر مقررین نے اپنے آباد اجداد کی کنزرویٹو، معائب اور مظالم
کا رد کیا۔

کیا ہم اپنی آنے والی نسلوں کو یہ تحفہ دے کر کچھ حاصل کر سکتے ہیں؟
کیا ہم اپنے اسلاف کے وہ شایان شان کارنامے نمایاں جو کہ انھوں نے
تعلیم، یکجہتی، رواداری اور حب الوطنی میں کشمیر کو دنیا میں روشن کر دیا، اظہار کر کے
انھیں صحیح کردار سے نوازا نہیں سکتے تھے۔

ملک مشترکہ طور پر انجام دیں اور دونوں ملکوں کی تجارت کو بجا لایا جائے۔
جناب والا! یہ میری ذاتی رائے اور مختصر تجویز پیش خدمت ہے
خیر اندیش

حاجی عبدالغنی شاہ ویری
تحصیل اسلام آباد کشمیر

یہی سلوک کیا ہے۔

ہندوستان کی جنگ آزادی میں فرنٹلٹ مسلمانون نے تقریباً پچاس سال اپنے ہم مذہبوں اور اپنے رشتہ داروں سے اصولی جنگ لڑ کر ہندوستان کی کانگریس کا ساتھ دیا۔ لیکن اس نے فرنٹلٹ مسلمانون کی قربانیوں کو نظر انداز کر کے ”دو قومی نظریہ“ والوں سے مصافحہ کیا اور ہندوستان کی تقسیم کروائی۔

ہم نے کانگریس کا رویہ مسلمانون اور کشمیریوں کے ساتھ دیکھ لیا۔ اب پاکستان جیسے چھوٹے اسلامی حکومت کے نعرہ سے وجود میں لایا گیا صرف چند سرمایہ داروں اور چند خود غرض ریاست دانوں جن کی اپنی برطانیہ کر ہی تھی اپنا الویدھا کیا۔ نہ انھیں اسلامی حکومت کی ضرورت تھی اور نہ عام مسلمانون کی بہبودی پیش نظر تھی اور آج تک وہاں نہ اسلامی حکومت قائم ہوئی اور نہ عام مسلمانون کی حالت رو بہ اصلاح۔ بلکہ چند سرمایہ داروں کے درمیان تمام پاکستان کی دولت ہے۔ نہ ہندوستان کو اور نہ پاکستان کو ہماری بہبودی پیش نظر ہے۔

اب رہا سوال کیا: ہادی کس طرح حاصل کی جائے؟ نہ کانگریس اور نہ پاکستان ہمیں آزاد ہونے دیں گے۔ اس لئے ہمیں جمہوری طریقہ بری راہ ناہوگا اور وہ اسمبلی پارلیمنٹ میں مجمع کر اور الے نمائندہ روٹھنے کی کوشش کرنی ہوگی۔ لیکن اگر اس میں خود غرض گندم غا جو فروش ہی گئے تو پھر خدا حافظ ہے۔ کانگریس اپنے تمام سٹھکنڈے استعمال کرے گی۔ وہ شیخ صاحب کے مقابل ”شوہرائے“ بنانے کی فکر میں ہے۔

ہمیں جمہوری طریقہ کی ابتدا اندرونی کشمکش کو سمجھانے کے بعد ہی کرنی چاہیے۔ اس وقت بھی قتل خیال کے لوگ مختلف زادیہ اور ملوچہ کام کر رہے

یہ بالکل صحیح ہے کہ ہندوستان کی غلامی میں میر جعفر، میر صادق، پورنیہ.... غلام علی سنگھ اور نظام الملک کا ہاتھ تھا۔ ان کی غلامی سے سبق حاصل کر کے ہمیں اپنا کردار بنانا تھا۔ لیکن اس کے برعکس جو کردار ۱۹۵۲ء سے پیشتر بطل حریت خباب شیخ محمد عبداللہ نے عوام کا بنایا تھا۔ اسے ۱۹۵۲ء کے بعد غلام ذہنیت چھٹا کر ”کلمہ“ کہنے والے نے نفرتی و طلائی افیوں کی گولیاں کھلا کر خاک میں ملا دیا اور اس کا سلسلہ ابھی تک جاری ہے۔

پتہ پتہ بوٹا بوٹا حال ہمارا جانے ہے
جانے نہ جانے گل ہی جا، بارغ تو سارا جانے ہے

آدم پرہیز طلب۔

تجویز:-

سٹرینگ کیٹی نے اپنی رپورٹ میں غاص کردہ تجویزوں پر زور دیا ہے۔ جن کا نام ’ب ج‘ رکھا ہے۔

”ہندوستان سے الحاق یا پاکستان سے الحاق“۔

ہم جب ہندوستان کی کانگریس گورنمنٹ سے الحاق نہیں چاہتے ہیں تو پاکستان سے بھی ہم کیوں الحاق کریں؟ ہم ہندوستان کی گورنمنٹ سے الحاق اس لئے نہیں چاہتے ہیں کہ اس نے ہم سے بے وفائی کی اور وہ اپنے وعدوں سے منحرف ہو گئی۔ یہی نہیں بلکہ اس کے پٹھوں نے ہم پر وہ مظالم ڈھائے جس کی مثال تاریخ میں ملنی مشکل ہے۔

کانگریس کی وعدہ غلامی کے تحت ہم ہندوستان کی آزادی کی جدوجہد کو اگر سامنے رکھیں تو معلوم ہوگا کہ انھوں نے مسلمانون سے اپنے مطلب برآری کے بعد

جوں کو کشمیر سٹیٹ یو پز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز سروراج پن سنگھ نجی جوں کی طرف سے موصول ہوئی ہے :-

”جوں کو کشمیر یو پز کنونشن کی طریقگی کمیٹی نے ڈیلی گیٹوں کی ہدایت کے لئے جو نکتے تیار کئے ہیں۔ ان سے مسئلہ کشمیر جیسے بے چیدہ اور مشکل مسئلہ کو حل کرنے میں بڑی آسانی ہو گئی ہے۔ بشرطیکہ نکتہ بندی سے انھیں سامنے رکھ کر حل تلاش کرنے کی کوشش کی جائے۔“

کسی متبادل حل پر بحث کرنے سے پہلے ریاست کے موجودہ سیاسی درجہ کی معقولیت یا نامتقولیت کو طریقگی کمیٹی کے فارمولہ پر پرکھنا چاہیے۔

۱۹۵۱ء میں کشمیری لیٹلڈوں نے اپنی رضامندی اور خوشی سے ہندوستان کے ساتھ اپنا رشتہ جوڑا تھا۔ جب جوں کے لیڈر اس سوال پر اکیس سو چوبیس و چارہ ہی کر رہے تھے۔ اس وقت جوں پنجاب، دہلی اور برصغیر کے دوسرے حصوں میں فرقہ وارانہ آگ بھڑک رہی تھی۔

کشمیری لیڈروں کا فیصلہ کسی اچانک اشتعال یا جذباتی پن میں نہیں ہوا تھا اس فیصلہ نے کھلی کی مانند سارے ملک کی فضا بدل دی اور ہندوستانی سیکورائزم کو

میں اور بھوٹ ڈھلے کی کوشش میں ہیں۔ اس کے تحت کشمیر سے ایک کڑی اور کھلا (دہلی) کی طرف گئی۔ ایک کڑی وادی کو جوں سے کراس کرتا ہے۔ دیگر اسلام آباد سے گاندہل کی طرف جاتی ہے۔ ایک وادگت سے سرنگر کی طرف ہے۔ ایک مجاہد منزل کا رخ کئے ہوئے وادہ پورہ کی طرف ہے دیرہ وغیرہ۔

ہماری کھلیاں صرف بطل حریت جناب شیخ محمد عبداللہ کی قیادت میں ہو سکتی ہے۔ گو کہ مختلف ذرائع سے انھیں سیاست سے علاحدہ کرنے کی کوشش ہو رہی ہے۔ سردست میں ۱۹۵۲ء کے قبل کی شرائط پر ہندوستان ہی سے الحاق کرنا چاہیے اس کے بعد اللہ میں توفیق دے کہ ہم آزاد ہو جائیں۔

میرے اس نقطہ نظر سے بہت سے بزرگوں کو تلخی محسوس ہوگی۔ کیونکہ حق بات ہمیشہ کڑی ہوتی ہے۔ مسلمان وہ ہے جس کا ظاہر و باطن ایک ہو اور وہ منافق نہ ہو۔

غلام حنفی

خوبی غلام احمد کھیلوہاں۔ بجئی

دوسری طرف ہندوؤں میں مسلمانوں کی وفاق داری پر شک کرنے کی ایک وجہ مل جاتی ہے۔ دوسری بات جو سیاسی حالات سے واضح ہوتی ہے۔ یہ ہے کہ ۱۹۵۲ء سے ۱۹۵۴ء تک کشمیر کا جو سیاسی درجہ کشمیری لیڈروں نے طے کیا تھا۔ ایسا کرنے میں جوں کی مانگ کو زیادہ دخل حاصل نہ تھا اور جوں اس سے مطمئن نہ تھا۔ اب اگر اسی عمل کو دہرایا جاتا تو عین ممکن ہے جوں اب بھی مطمئن نہ ہو۔ اس طرح سٹرٹنگ کمیٹی کی قرارداد کی ایک اہم شرط پوری نہیں ہوتی کہ ہر عمل ریاست کے تینوں صوبوں کو مطمئن کرے۔

ہم نے دیکھا ہے کہ ۱۹۵۲ء سے ۱۹۵۴ء تک ہندوستان کے حصہ کے طور پر ریاست کا جو سیاسی درجہ تھا۔ کشمیری لیڈروں کو سیاسی اور اخلاقی طور پر اس سے مکمل کی کو فیسے جو اذیت نہیں۔ جو قوم اور لیڈر اپنے وعدوں اور فیصلوں پر پابند نہ رہ سکے۔ وہ دنیا میں وقار حاصل نہیں کر سکتی۔ اگر کشمیر کے لیڈران دعویٰ اور اعلانات کا پاس نہ کریں۔ جو وہ چھ سال تک بانگ دہل کرتے رہے ہیں۔ تو کشمیر کا وقار یقیناً مٹی میں مل جائیگا۔ یہ ٹھیک ہے کہ آج کشمیر کا سیاسی ماحول وہ نہیں ہے۔ جو بیس سال پہلے تھا۔ آج کشمیری عوام ہندوستان سے خوش نظر نہیں آتے مگر اگر لیڈر عوام کی رہنمائی کرنے کے بجائے ان کی بدلتی رائے کے مطابق بدلتے جاتے ہیں تو انھیں لیڈر کہلانے کا حق نہیں اور اگر ملک سے لوگوں کی وفاق داریوں کا یوں بدلتے رہنا تسلیم کیا جائے تو عالمی نظام میں افراتفری پھیل جائے گی۔

جن لوگوں نے ۱۹۵۲ء میں ہندوستان میں شامل ہونے کا تاریخی فیصلہ کیا تھا۔ وہ اس بنا پر اپنی رائے بدل نہیں سکتے کہ ان کے ساتھ ہندوستان کی حکومت نے اچھا سلوک نہیں کیا۔ کشمیری لیڈروں اور عوام کے ساتھ جو سلوک ہوا ہے۔ میں اسکی سخت مذمت کرتا ہوں۔ مگر ہر ملک میں ہزاروں لوگ ایسے ہوتے ہیں۔ جن کے ساتھ

ایک آڑے وقت مرنے سے بچایا۔ لیکن کچھ ہی سالوں بعد کشمیری سیاست کی کچھ تبدیلیوں کی وجہ سے مرنے ہوئی فرقہ پرستی کو ایک نئی زندگی مل گئی۔

کشمیری لیڈروں اور مرکزی لیڈروں نے ریاست اور مرکز کے رشتے کے بارے میں جو فیصلے کئے۔ جوں کے لوگ ان میں شریک نہ تھے اور انھوں نے ہی سب سے پہلے انھیں چیلنج کیا۔

ریاست میں سارا سیاسی اقتدار اس وقت کشمیری لیڈروں کے ہاتھ میں مرکوز تھا۔ جوں کے لیڈروں کے بارے میں لاطینی اور بد اعتمادی کی وجہ سے انھیں سیاسی اقتدار میں حصہ دار نہ بنایا گیا۔ جوں میں یہ احساس دن بدن بڑھتا گیا کہ انھیں ریاست میں غلامی کا درجہ حاصل ہے۔ چنانچہ کشمیری غلبہ سے نجات حاصل کرنے کے لئے انھوں نے دفعہ ۳۴ ختم کرنے کا مطالبہ کیا تاکہ کشمیری طاقت سرنگر سے دہلی منتقل ہو سکے۔

اگر کشمیری حکمران طاقت کی دہلی میں مرکزیت کے خلاف تھے تو انھیں ریاستی طاقت کی سرنگر میں مرکزیت کے خلاف جوں کی آواز کی بھی قند کرنی چاہیے تھی۔

اس سارے پس منظر سے دو باتیں واضح ہوتی ہیں۔ پہلی یہ کہ کشمیر کی ہندوستانی سیاست میں رضا کارانہ اور مکمل شمولیت سے سیکورڈ میوکرسی کی طاقتیں مضبوط ہوتی ہیں۔ سٹرٹنگ کمیٹی کی ایک لازمی شرط اس سے پوری ہوتی ہے۔ ہندوستان کا قانونی طور پر حصہ رہتے ہوئے بھی جب کبھی کشمیری لیڈر ہندوستانی سیاست سے ذہنی اور جذباتی طور پر الگ ہو گئے تو سیکورڈ میوکرسی کو دھکا لگتا ہے۔ وجہ صاف ہے اگر کوئی ہندو علاقہ ہندوینوں سے الگ ہونے کو کوشش کرے تو یہ فرقہ وارانہ سوال نہیں بنتا۔ مگر کوئی مسلم علاقہ ایسا کرے تو ظاہر ہے کہ وہ مسلمان ہونے کی وجہ سے ہندو اکثریتی ملک سے دور کھینچا جاتا ہے۔ چنانچہ اس طرح سے ایک طرف مسلمانوں میں فرقہ وارانہ ذہنیت بڑھے گی اور

اور مرکز سے رشتہ کے بارے میں اتہا پندار نہ روٹیہ کی مخالفت کرنے کی ہمت کرنی چاہیے۔
مجھے یقین ہے کہ اگر دونوں صوبوں کے لیڈر جرأت سے کام لیں اور آپس میں
طے شدہ مل کو عوام سے منوانے کی کوشش کریں۔ تو انھیں یقیناً کامیابی ہوگی اور....
ریاست کے لوگ کفکش اور غیر یقینیت سے نجات حاصل کر سکیں گے۔

بچن سنگھ نمچی جوں

ہر نظام میں بے انصافی ہوتی ہے۔ مگر مظلوم سے مظلوم انسان بھی دشمن بھگتی چھوڑنے کا
حق دار نہیں ہوتا۔ خان بادشاہ پندرہ سال سے زائد پاکستان کی جیلوں کے سخت ترین
مظالم سہنے کے بعد بھی پاکستان کی وفاداری سے باز نہیں آئے۔ اپنے ملک سے
وفاداری پر انسان کا اولین فرض ہے اور وفادار شہری کے طور پر اپنے حقوق کے لئے اوس بے
انصافی کے خلاف جدوجہد کرنا اس کا بنیادی حق ہے۔

کشمیری لیڈروں نے وفادار شہری کے طور پر آئینی طریقہ سے کشمیر کے ساتھ ہور ہی
بے انصافی کے خلاف جدوجہد کرنے کے بجائے الحاق کو ہی جیلنج کرنا شروع کر دیا۔ جس
سے بے انصافی جاری رکھنے کی جواز تیت بنا گئی۔

اخلاقی اور سیاسی پہلوؤں کے علاوہ حقیقت پسندی کا بھی یہی تقاضا ہے کہ
کشمیری لیڈر اپنے پرانے وعدوں پر کاربند رہیں۔ کیونکہ ہندوستانی فوج کو کسی دوسرے
ملک کی دہی فوج نکال سکتی ہے۔ جو اس سے زیادہ مضبوط ہو۔ اگر ایسی کسی فوج کی
مدد مل بھی گئی تو اسے کون نکالے گا۔

آخر میں ہم اس پر بھی غور کر سکتے ہیں کہ دفعہ ۳۷۷ کے خلاف جوں کا جو جذبہ ہے
اس کے ہوتے ہوئے ۱۹۴۷ء سے ۱۹۶۵ء تک ریاست کے درجہ کے بارے میں جوں کیسے
مطالعین ہو سکتا ہے؟ اس کا علاج یہ ہے کہ ۱۹۶۵ء کے بعد جو کچھ بھی تبدیلیاں ہوئی ہیں۔
ان پر جوں اور کشمیر کے رہنماں بیٹھ کر غور کریں اور جو باتیں اتفاق رائے سے ریاست
کے مفاد میں پائی جائیں۔ انھیں منظور کر لیا جائے اور باقی رد۔ اس کے ساتھ ہی
اختیارات کو غیر مرکوز کرنے کا جو آئینی ڈھانچہ سٹرٹنگ کمیٹی نے مرتب کیا ہے۔ اس سے
بھی ملائی جذبات کی بہت حد تک تسکین ہو سکے گی۔

پھر بھی جوں کے ترقی پسند لیڈروں کو عوام کی صحیح رہنمائی کرنی چاہیے۔

۱۱) کسی بھی حل کے لئے ریاستی عوام کی منظوری ضروری ہے۔

۱۲) کسی بھی حل کے لئے ہندوستان اور پاکستان میں دوستانہ اور سارگارفضا پیدا کرنے کے لئے مندرجہ ذیل لائحہ عمل اختیار کیا جائے:-

الف) ہندوستان اور پاکستان کے تمام اہم سیاسی لیڈر ایک دوسرے کے ممالک کا دورہ کریں اور حاجی ان کا گرم جو شانہ استقبال کیا جائے۔

ب) ادبی، مذہبی، کھل اور دیگر سرگانی دھندوں کے دروں کا بندوبست کیا جائے۔

ج) دونوں ملکوں کے ریڈیو اور اخبارات کو مئی لگانہ زیر افشانی سے روکا جائے۔

د) آمدورفت کی موجودہ پابندیاں بالکل نرم کر دی جائیں۔ خاص کر مذہبی مقامات کی زیارت کے لئے!

ر) لڑکچر کا آزادانہ تبادلہ ہوتا رہے۔ وغیرہ وغیرہ

اس لائحہ عمل کی مدت ایک سال رکھی جائے۔ یہ ایک منصفانہ حل کی طرف پہلی منزل ہوگی۔ اس کے بعد راولپنڈی روڈ کو آمدورفت اور معاہداتی تجارت کے لئے کھلا چھوڑا جائے۔ تیسری منزل دونوں ملکوں کی فوج کی واپسی ہوگی۔ ان کی جگہ ریاستی پولیس لے گی۔ اس منزل میں اقوام متحدہ کو ریاست کی سرحدات کی ضمانت دینی ہوگی۔ چوتھی منزل میں رائٹساری انجینیئرنگ کی تشکیل دی جائے گی۔ اس انجینیئر کا ڈھانچہ یہ ہوگا:-

۱) ہندوستان کی پیریم کورٹ کا ایک ریٹائرڈ جج ۲) پاکستان کی پیریم کورٹ کا

ایک ریٹائرڈ جج ۳) ریاست کے چار بڑے خطوں کا ایک ایک نمائندہ (۴) جوں ۵

دادی ۶) گلگت ۷) لداخ (۸) اس انجینیئر کا صدر اقوام متحدہ کا مقرر کردہ ہوگا یا وہ

شخص جس پر دونوں ملکوں کو اتفاق ہو ۹) ہر متنازعہ بات کثرت رائے سے طے پایا کرے گی

جوں و کشمیر ٹریٹ پیوپلز کنونشن مجاہد منزل سرینگر

مندرجہ ذیل تجویز جناب محمد اسحاق دانی بانڈی پورہ کی طرف سے موصول

ہوئی ہے:-

”میں نے آپ کی ہدایت کے مطابق دستاویزات ”ب“ و ”ج“ کا غور سے مطالعہ کیا۔ جہاں تک دستاویز ”ب“ کا تعلق ہے۔ میری محدود دانست مندرجہ ذیل تجاویز کو منصفانہ سمجھتی ہے۔

۱) سب سے پہلے تینوں متعلقہ فریقین (ہندوستان، پاکستان اور ریاست جوں و کشمیر) کو دو حقیقتوں کا اعتراف کرنا چاہیئے۔ الف) یہ کہ ریاست جوں و کشمیر کے عوام ابھی تک اپنے بیدار نشی حق، حق خود ارادیت کے استعمال سے محروم رہے۔ ب) ریاست کے عوام سیاسی غیر تعلیمیت کی وجہ سے اقتصادی لحاظ سے بحیثیت مجموعی تباہ و برباد ہوئے ہیں۔ ان دو حقیقتوں کے اعتراف کے بعد کسی بھی حل کے لئے مندرجہ ذیل شرائط ناگزیر ہیں:-

۱) کسی بھی حل کے لئے وقت اور مدت کا تعین کیا جائے۔ یعنی حل کا پروگرام منزل بمنزل چلتا رہے۔

جوں و کشمیر ٹیٹ پیولز کنونشن عجب اہل منزل سرنگر

مندرجہ ذیل تجویز عبدالغنی صاحب مست فریدی ساکنہ ڈوڈہ کی طرف سے
موصول ہوئی ہے:-

”عزیزی!

پیولز کنونشن کے پہلے اجلاس میں پڑھنے کے لئے راقم نے ایک
تحریری بیان پیش کیا تھا۔ لیکن وقت کی قلت کی وجہ سے اس بیان کو پڑھنے کے
اجازت نہ ملی تھی۔ البتہ وعدہ کیا گیا تھا کہ اس کو کاروائی میں شامل کیا جائے گا۔ بہرہائی
صوبہ وعدہ میرے اس مقالہ کو شامل کاروائی کیا جائے۔

مستقبل قریب میں پیولز کنونشن کا جو اجلاس منعقد ہونے والا ہے۔ اس
میں رہبر کلٹی کی دستادیز ”ج“ پیر میری ترمیم اور مسئلہ کشمیر کے لئے میری تجویز جو درج
ذیل ہے، ریکارڈ میں شامل کی جائے۔ امید ہے کہ میری یہ استدعا قبول ہوگی۔
ترمیم:-

رہبر کلٹی نے ریاست کے اندرونی ڈھانچہ کی جو تجویز منظور کی ہے۔
اس میں یونٹ کی تشکیل میں وضاحت کے ساتھ تحریر کیا جائے کہ پورا ضلع ڈوڈہ اور....
ادھم پور محکمہ راجوری دو پونچھ کے علاقہ جات جن میں کشمیری زبان اور تہذیب و تمدن

وہم یہ ایکسی دڈ ٹروں کی فہارس اور حلقہ ہائے انتخاب کی وحدندی وغیرہ امور طے کرے
گی۔

پانچویں منزل برائیشمار ہوگی اور اس کا نتیجہ برآمد ہونے کے بعد فوراً محسوس
ہندوستان و پاکستان نا جنگ معاہدہ پر دستخط کریں گے۔ اس پروگرام پر ظاہر ہے پانچ
سال کی مدت لگ جائے گی۔ اس سے زیادہ مدت ریاستی عوام کے لئے مزید تباہی
کا باعث ہوگی۔ اس پانچ سالہ مدت میں ہندوستانی اور پاکستانی مقبوضہ علاقوں میں
دونوں ملکوں کے آئین کے تحت صحیح عوامی حکومتیں کام کرتی رہیں گی۔ رائیشمار کے
نتیجہ کے بعد ریاست کی متحدہ حکومت کا سب سے پہلا کام مہاجرین کی آباد کاری
ہوگی۔

جہاں تک دستادیز ”ج“ کا تعلق ہے۔ اس سلسلے میں مجھے صرف دو چھوٹی سی
باتیں عرض کرنی ہیں (۱) بلاک اور نیچائیت کی سطح تک تمام عہدہ داران کا تعلیم یافتہ
قانوناً قرار دیا جائے (۲) اسی طرح بلاک اور نیچائیت کی سطح تک قانوناً ٹھیکیداروں
کا انتخاب ناجائز قرار دیا جائے۔

محمد حسن دانی بانڈی پورہ

نہ ہی مابعد اس پر کوئی حرف گیری یا انحراف ہو سکتا ہے۔ وہ ہے رائیتماری کی تجویز! جس کو نہ صرف مسئلہ کشمیر کے ہر فریق نے عوامی اور حکومتی سطح پر قبول کیا ہے۔ بلکہ صرف اس تجویز کو ہی بین الاقوامی رائے عامہ کی تائید و حمایت حاصل ہے۔

رائیتماری صرف تجارت یا پاکستان میں شمولیت کے لئے طلب ہونی چاہیے۔ کیونکہ عوامی ذہن عرصہ سے ان دو مملکتوں میں شمولیت کے لئے سوچتے آئے ہیں۔ اب تو کچھ لوگ تیسری صورت یعنی آزاد ریاست کے لئے بھی رائیتماری کی تجویز پیش کرتے ہیں۔ اس سے نئے جھگڑوں اور الجھاؤ کے دردانے کھل جائیں گے۔

لہذا میری رائے میں جوں و کشمیر کے مسئلہ کو حل کرنے کے لئے معقول اور مناسب تجویز یہ ہے کہ ہندوستان یا پاکستان سے حتمی الحاق کے لئے لوگوں سے مجلس اقوام متحدہ کے زیر اہتمام رائے دریافت کی جائے۔

عبدالحق دست فریدی ڈوڈہ

مردرج ہے۔ انھیں کشمیری یونٹ کے ساتھ منسلک کیا جائے اور پونچھ راجوری کے وہ علاقے جن میں پہاڑی پنجابی زبان و تمدن کا جھل ہے، سرحدی یونٹ میں شامل کیا جائے۔ جوں کٹھنہ اور ادرہم پور کے باقی ماندہ ڈوگری تہذیب و تمدن کے علاقہ جات کو ڈوگری یونٹ قرار دیا جائے۔ جیسا کہ ہر کٹی کی تجویز میں یونٹ کی تشکیل میں زبان اور تمدن سے قربت کو ملحوظ خاطر رکھنے کو کہا گیا ہے۔ قابل توجہ:-

مسئلہ کشمیر کے حل کے لئے پوپلز کنونشن میں جو تجاویز پیش کی گئی ہیں۔ ان میں اضلاع پونچھ راجوری، لداخ اور آزاد کشمیر کے لوگوں کی طرف سے کوئی تجویز پیش نہیں ہوئی ہے۔ کیونکہ ان علاقہ جات کی نمائندگی اجلاس میں نہ تھی۔ لہذا ہونے والے اجلاس میں ان علاقوں کی نمائندہ حیثیت کی عدم موجودگی کو نظر انداز نہ کیا جائے اور مسئلہ کے حل کے لئے کوئی خاص تجویز پاس ہونے سے پہلے ایسا قدم اٹھایا جائے کہ ان علاقہ جات کے دانشوروں کو بھی اپنی تجاویز پیش کرنے کا موقع ملے اور پوپلز کنونشن کی مسئلہ کشمیر کے حل کے لئے منظور شدہ تجویز کو تمام نمائندہ حیثیت کے حامل علاقہ جات سے تائید و حمایت حاصل ہو سکے۔

تجویر:-

کنونشن میں مسئلہ کشمیر کے حل کے لئے جو تجاویز پیش کی گئی ہیں۔ ان میں صرف ایک تجویز ایسی ہے۔ جو عدل و انصاف پر مبنی عام فہم، معروف اور عرصہ دراز سے عوامی ذہنوں پر واضح طور منعکس ہے اور جس سے جمہوری عمل کے تقاضے بھی احسن طریقے سے بھرپور کٹی گئی ہیں۔ ساتھ ہی ریاست جوں و کشمیر کے ہر فرد کو یہ انسانی حق ملتا ہے کہ وہ اپنے مستقبل کے بارے میں اپنی آزادانہ رائے کا اظہار کر پائے اور

ہندوستان سے پاکستان سے ملحق ہو گئیں۔ لیکن ریاست جموں و کشمیر کا مسئلہ الحاق ہی صحیح وقت پر طے نہ ہو سکا اور پہلے ہی دن اس میں جو الجھاؤ پیدا ہوا تھا۔ آج ۲۱ سال کی مدت دراز گزرنے کے بعد بھی سلجھنے میں نہیں آتا اور ہر نیا واقعہ اس بد نصیب مسئلے کے لئے نئی سے نئی پے چیدگی کے زلزلہ پزیر ہوتا ہے۔

۱۹۴۷ء میں تقسیم کے وقت ریاستی عوام کی اکثریت کی خواہش یہی تھی کہ ریاست کا الحاق پاکستان کے ساتھ عمل میں آئے۔ لیکن وقتی پریشانیوں، ماردھاڑ اور خوف و دہشت کی وجہ سے عوام کو اپنی رائے ظاہر کرنے کا موقع نہ مل سکا اور عین افراتفری کے عالم میں مہاراجہ ہری سنگھ نے وادی اور اس کے چند اضلاع کا ہندوستان سے سوا کر دیا اور اضلاع گلگت، مظفر آباد، اسکردو جموں و کشمیر کے جسم سے کٹ کر آزاد کشمیر کے نام سے پاکستان کے زیرِ فطر چلے گئے۔ اب بیس سال سے صورتِ حال یہ ہے کہ ہندوستان اور پاکستان اپنے اپنے عوام کی خواہشات اور تئناؤں کے مطابق ترقیات کی منزلیں طے کر رہے ہیں۔ لیکن ریاست جموں و کشمیر ہی ٹکڑوں میں بٹی ہوئی ہے اور سینہ فرائیڈ بر لگی ہوئی دونوں طرف توپوں اور دیگر جنگی سرگرمیوں کے بوجھ کے نیچے کرا رہی ہے۔ دنیا جانتی ہے کہ ہندوستان اور پاکستان اسی مسئلہ کی وجہ سے اب تک دو اچھی خامی جنگیں پورے ساز و سامان سے لیس ہو کر رط چکے ہیں۔ مگر مسئلہ الحاق پھر بھی طے نہ ہو سکا۔

میں یہ دونوں سے کہتا ہوں۔ اگر مسئلہ کشمیر حل نہ کیا گیا تو ان دو ممالک میں کسی بھی وقت پھر ایک بار جنگ چھڑ جانے کے خطرات موجود ہیں۔ جس سے نہ صرف ہندو پاک بلکہ سالم دنیا کو خوفناک تباہیوں اور بربادیوں کا سامنا کرنا پڑے گا۔ کیا ہی اچھا ہوتا کہ یہ دونوں نوآزاد شدہ ممالک جنگوں، تباہیوں اور بربادیوں کے سامانوں میں الجھنے کے بجائے امن و اشتی کی راہ میں تلاش کرتے۔ جنگوں سے مسئلے حل نہیں ہوتے بلکہ الجھ

جموں و کشمیر سٹیٹ پیوپلز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب محمد اسماعیل صاحب کی طرف سے موصول ہوئی ہے:-

محترم صدر و معزز ممبران!

غلای میں نہ کام آتی ہیں تدبیریں نہ شیریں

جو ہر ذوق یقین پیدا تو کٹ جاتی ہیں زخیریں

اس سے پہلے کہ میں مسئلہ کشمیر یا اس کے حل کے بارے میں آپ کے سامنے کچھ عرض کروں میں یہ بتانا ضروری سمجھتا ہوں کہ میں جموں و کشمیر کو الگ ایکشن کمیٹی سے وابستگی رکھتا ہوں اور چونکہ ہمارے محبوب قائد محترم مولانا محمد فاروق صاحب نے متعدد بار وضاحت کے ساتھ اپنی پالیسی بیان فرمائی ہے۔ اس لئے میں اس نازک اور پیچیدہ مسئلہ میں الجھنے کے بجائے مختصر اور پابندِ عتابی کرنا بہتر سمجھتا ہوں۔

حضرات! ریاستی عوام کو آج کل جو مشکل ہم درپیش ہے۔ وہ ریاست کے الحاق کی ہمہ پہلو ۱۹۴۷ء میں انگریزی حکومت کے خاتمے پر برصغیر ہندوستان تقسیم ہوا۔ وہ صبرِ مدید ملکیت و جد میں آئیں۔ متحدہ بھارت کی تقریباً ۵۶ ریاستیں تقسیم کے بعد آہستہ آہستہ یا تو

ہے۔ انشاء اللہ ہم اس کو حاصل کر کے ہی دم لیں گے۔ اس لئے میں شیر کشمیر اور قند کشمیر کو اپنی طرف سے یقین دلاتا ہوں!

میں اپنی تقریر ختم کرنے پر سرمدی اقبالؒ کے دو شعر
آج بھی ہوا اگر ابراہیم کا ایمان پیدا
آگ کر سکتی ہے انداز گلستان پیدا

محمد اسماعیل مجاہد

جاتے ہیں اور تباہی و بربادی کے سوا کچھ حاصل نہیں ہوتا۔ اس لئے انھیں بہت جلد ایک ایسے راستے پر گامزن ہونا چاہیے جس سے مسئلہ کشمیر آہستہ آہستہ حل ہو جائے۔ تاکہ نہ صرف ریاستی عوام غیر یقینی اور ذہنی خلفشار سے بلکہ پورے برصغیر کو تباہیوں اور بربادیوں سے نجات حاصل ہو سکے۔

حضرات! اکثرین کمیٹی کا موقف بالکل واضح اور صاف ہے ہم پر امن طور پر اس مسئلے کو ہندوستان کے وعدوں، سلامتی کنونشن کی تجاویز اور بین الاقوامی اصولوں کے تحت حل کرنا چاہتے ہیں اور وہ حل صرف رائیتماری ہے۔ جس سے یقیناً اس مسئلہ کے تینوں فریقی کشمیری عوام، ہندوستان اور پاکستان مطمئن ہو سکتے ہیں۔ اس پاک مقصد کی خاطر ہماری تنظیم عوامی مجلسِ اہل کو مختلف کھٹن سائل سے گزرتا پڑا اور اس کے کارپردازوں کو اپنے محبوب قائد مولانا محمد فاروق صاحب کے سمیت ذہنی جسمانی ٹروہائی تکالیف واذیتیں اٹھانے اور انٹروگیشن برداشت کرنے پڑے۔ مگر ہم سمجھتے ہیں کہ یہ تو ابھی ابتداء ہے۔ ہم اپنے پاک مقصد کے حصول کے لئے ان سے بھی بڑی سے بڑی قربانیاں دینے کے لئے تیار ہیں اور انشاء اللہ اپنے ملک کی خاطر اپنے قوم کی خاطر اور مطالبہ رائیتماری کے حصول کی خاطر ہم اپنے خون کی آخری بوند تک اپنے محترم قائد مولانا محمد فاروق کی قیادت میں کھچاؤ کرنے سے دریغ نہیں کر سکیں گے۔ کیونکہ ہم سمجھتے ہیں کہ ہم صداقت پر ہیں۔ رائیتماری کا نوحہ کوئی مذہبی نوحہ نہیں یا کوئی جذباتی نوحہ نہیں ہے۔ نہ کوئی بنیادیت یا جرم ہے اور نہ ہی کوئی نیا مطالبہ ہے۔ رائیتماری کا نوحہ بلند کرنے والا پہلا شخص پنڈت جواہر لعل نہرو ہے۔ لہذا ہندوستان کو بے جا ہٹ دھرمی اور میں نہ مانوں۔ میں نہ مانوں! کی پالیسی کو ترک کر کے حقیقت پسندانہ رویہ اختیار کرنا چاہیے۔

..... کشمیری عوام کا متفقہ اور متفقہ مطالبہ رائیتماری

متعلق میری رائے میں ابتدائی مرحلے پر ذیل کی تجویزیں زیر غور لائی جائیں :-

(۱) ریاست جوں و کشمیر میں ایک منصفانہ اور آزادانہ طور قومی اسمبلی کا قیام عمل میں لایا جائے۔ جس میں تمام پارٹیوں کو غیر جانبدارانہ انتخاب میں حصہ لینے کی پوری پوری آزادی ہو۔ منتخب شدہ نمائندوں کی ایک گول میز کانفرنس ہو۔ جو تنازعہ کشمیر کو طے کرنے کے لئے ہندو پاک کے رہنماؤں کے ساتھ گفت و شنید شروع کریں۔

(۲) جو شاہراہیں تنازعہ کشمیر کی وجہ سے آنے جانے کے لئے بند ہیں، کھولی جائیں چونکہ ان شاہراہوں کی بندش سے ہماری تجارت بالکل تباہ ہو چکی ہے۔

(۳) سرحدوں پر متعین فوج کو واپس بلا کر دیکھ بھال کے لئے قومی ملیشیا رکھی جائے۔ تاکہ یہاں کی اقتصادی حالت بہتر ہو جائے۔

(۴) قومی اسمبلی کو پانچ سال کے لئے ہونا چاہیے۔ ریاست کو اس دوران میں ہندوستان و پاکستان کے ساتھ دوستانہ تعلقات قائم کرنے چاہیں۔

(۵) وزیر اکا طریقہ ختم کرنے کی ریاست کے ہر باشندے کو دونوں ممالک (ہندو پاک) میں سفر اور تجارت کرنے کی آزادی دی جائے۔

(۶) ہنگامی قوانین کو ختم کر کے شہری آزادی کو بحال کیا جائے اور فرقہ وارانہ منافرت پر پابندی لگائی جائے۔

(۷) ان حالات میں پانچ سال کے اندر اندر ہندو پاک اور قومی اسمبلی کے نمائندوں کی شمولیت کے ساتھ رائیتماری کے ذریعہ ریاست کے مستقبل کا فیصلہ عمل میں لایا جائے۔

جس کو تینوں فریق یعنی ہندو پاک اور کشمیر خوشی اور اطمینان کے ساتھ قبول کریں

عبدالموہن کشمیری

جوں و کشمیر میٹ پیپلز کنونشن محبہ منزل سرنگر

مندرجہ ذیل تجویز عبدالموہن کشمیری ابو جھوارہ ڈالگٹ کی طرف سے موصول ہوئی ہے

• تنازعہ کشمیر نے صرف ۲۲ سال سے ایسی خطرناک شکل اختیار کی ہے۔ جو حیران کن صورت اختیار کر چکا ہے۔ ہر وطن دوست کے لئے یہ بات باعث پر اگندگی ہے کہ پھر بھی ایسا نہ ہو کہ ہمیں اس تنازعہ کی وجہ سے ہندو پاکستان ایک دوسرے کے مقابلے میں برسرِ پیکار ہو کر دونوں ملکوں کے عوام کی تباہی کا باعث بن جائے۔ اس غصہ کو مد نظر رکھتے ہوئے جناب شیخ محمد عبداللہ نے جو پیپلز کنونشن دوسری بار بلا کر مختلف پارٹیوں اور فرقوں کے رہنماؤں کو شمولیت کی دعوت اس لئے دی تاکہ اس تنازعہ کے حل کے لئے کوئی لائحہ عمل تلاش کیا جائے۔ جو مبنی بر انصاف اور صداقت ہو۔ تاکہ ہندو پاک کے عوام اور کشمیری باشندوں کو تباہی کے بھنور میں ڈوبنے سے محفوظ رکھ کر یقینیت دے دیا جائے۔

میں اس معاملے میں بائیس سالہ تاریخ کے واقعات کو ملحوظ رکھتے ہوئے ایسا لائحہ عمل تلاش کرنے کا خواہش مند ہوں۔ جس سے ریاست کے عوام کو باعزت طور مکمل آزادی جو جمہوریت پر مبنی ہو، حاصل ہو کر ہندو پاک کے تعلقات بھی خوشگوار ہو جائیں۔ اس کے

دونوں کے ساتھ اس کے تعلقات تجارتی طور بھی قائم ہوں۔ ۵ سال تک ریاست کی حفاظت کی ذمہ داری سلامتی کونسل پر ڈالی جائے۔ ہندوستان اور پاکستان کے علاوہ کشمیر کے عوام بھی مطمئن ہوں۔ ۵ سال کے بعد بغیر کسی دباؤ کے رائیتماری کے ذریعہ مسئلہ کشمیر کو حل کیا جائے۔ رائیتماری کے ذریعہ عوام جو بھی فیصلہ کریں وہی ریاست کے مستقبل کا حتمی فیصلہ ہوگا۔ رائیتماری ہندوستان یا پاکستان الحاق یا آزاد رہنے کے متعلق ہونی چاہیے۔

پیوپلز کونشن کا جو مقصد اس مسئلہ کو طے کرنے کے سلسلے میں ہے۔ وہ قابلِ توجہ ہے۔ اس لئے ساری ریاست جوں و کشمیر جس میں لداخ یا گلگت، اسکردو جوں و کشمیر وغیرہ ریاست کے تمام حصے شامل ہوں۔ ان کی وحدت کو برقرار رکھتے ہوئے فیصلہ کرنا ضروری ہے۔ کیونکہ یہ ریاست یہاں کے باشندوں جن میں ہندو، مسلمان، سکھ، پارسی، ڈوگرے، بودھ اور ہر کچن سب شامل ہیں کی ملکیت ہے اور ان سب کو اطمینان ہونا چاہیے۔

صدر الدین مجاہد

دستاویز نم ۲

جوں و کشمیر ٹیٹ پیوپلز کونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب صدر الدین مجاہد صاحب کی طرف سے موصول ہوئی ہے

تجویز :-

چونکہ کشمیر کا مسئلہ صرف ریاست جوں و کشمیر کے لئے ہی نہیں بلکہ ہندو پاک کے ساتھ کروڑوں عوام کے لئے بھی پریشانی کا باعث بن چکا ہے اور سارے ایشیاء کا امن اسی مسئلہ کی وجہ سے خطرے میں پڑ چکا ہے۔ کشمیر پائیس سال سے توعل کا شکار ہے جس سے یہاں کی اقتصادی حالت برباد ہو رہی ہے۔ تجارت کے راستے بند ہیں۔ تجارت کی منڈیاں نہیں ملتی۔ وقت آیا ہے کہ اس مسئلہ کو ہندوستان، پاکستان اور سلامتی کونسل کی طرف سے دینے گئے وعدوں کے مطابق رائے عامہ کے ذریعہ کشمیر کے مسئلہ کو آزادانہ رائیتماری سے حل کیا جائے۔ چونکہ میں جوں و کشمیر محاذ رائیتماری کا رکن ہوں۔ اس کا نصب العین آزادانہ رائیتماری کے ذریعہ مسئلہ کشمیر کو حل کرنا ہے۔ کیونکہ وہی ایک جمہوری طریقہ ہے۔ اگر رائیتماری کرانے میں ابھی ماحول سازگار نہیں تو میری تجویز ہے کہ ریاست جوں و کشمیر کو آزاد ریاست کی حیثیت دی جائے۔ ہندوستان و پاکستان

شدہ مجبور غلام عوام۔ بلکہ اخباروں اور ریڈیو خبروں کے مطابق مملکت میں بھی ہمداری ریاست کی کسی حصہ پر قابض ہو چکا ہے۔ چلیے! اگر ہم اس کو بطور فریق اس وقت تسلیم نہیں کرتے ہیں (خدا کے تعالےٰ بہتر جانتا ہے کہ موجودہ سرکشی آئندہ کیا کچھ پیش کرائے گی۔۔۔ مگر مملکت بھارت اور مملکت پاکستان مسئلہ کشمیر کے دو اہم فریق ہیں۔ ان کی ہی افواج نے ریاست جموں و کشمیر کے ٹکڑے ٹکڑے کر دیے ہیں۔ یہی حد متاثرہ جیسی منہوس لیکریت نام کرنے کے ذمہ دار ہیں۔ یہی اس منہوس لیکر کے پاسان ہیں اور توپوں کے دہانے کھلے رکھے ہوئے ہیں تاکہ ادھر کا کشمیری وہاں اپنے بھائی بندوں کے ساتھ بغلیں ہونے کی عبارت نہ کرنے پائے۔ یہی دو فریق سلامتی کونسل جیسے بین الاقوامی ادارے میں ہماری نمائندگی کرتے آئے ہیں۔ ایسے طاقتور فریق کی عدم موجودگی میں مطلوب حل تلاش کرنا بجز خود فریبی کچھ نظر نہیں آتا۔

۱۲) آزاد کشمیر و ریاست جموں و کشمیر کا بڑا حصہ ہے۔ اس لازمی حصہ کی طرف سے اس کنونشن کو کسی طرح سے بھی کوئی نمائندگی حاصل نہیں ہے۔ اگرچہ ہمارے جیرو میں صاحب نے یہ غلطی کرنے میں کافی کوشش کی تھی۔ مگر حد متاثرہ کے ایک فریق را کھے (بھارت) نے یہ درخواست نامظور کر کے ان کی کوشش ناکام بنادی اور اس کنونشن کو لازمی نمائندگی سے محروم کر دیا۔

۱۳) اس حصہ کی بھی ذاتی حیثیت میں ہی سہی یہاں سبھی سیاسی جماعتوں کی نمائندگی حاضر نہیں ہے۔

(۵) بوجہ تنازعہ کشمیر ۱۹۴۷ء سے جموں و کشمیر کے عوام (حرب و مزب) خاکی پوشوں اور جاموں کے سایوں میں دم توڑ رہے ہیں۔ کشمیر قدرتی شاہراؤں سے کٹ گیا ہے۔ کشمیریوں کا تمدن و تہذیب، سیاست، اقتصادیات اور اخلاق تک بری طرح

جموں و کشمیر سٹیٹ پیو پز کنونشن مجاہد منزل سرینگر

مندرجہ ذیل تجویز جناب غلام احمد میر صاحب کی طرف سے موصول ہوئی ہے:

محترم جیرو میں صاحب و مندوبین حضرات!

تسلیمات! یہ خوشی کا مقام ہے کہ آج دوبارہ مسئلہ کشمیر کو سلجھانے کی غرض سے ہم جمع ہو گئے ہیں۔ راقم پہلے منتقلین کا شکریہ ادا کرتا ہے۔ جن کے کوششوں سے یہ نادر موقع حاصل ہوا ہے۔

آج ہمارے سامنے رہبر کلیدی کی پاس کردہ دو تجاویز (ب اور ج) زیر غور لانے مقصود ہیں۔ راقم موضوع متذکرہ پر آنے سے قبل ان چند حقائق کا ذکر کرنا چاہتا ہے:

۱) کیا ہم متنازعہ کشمیر کا فیصلہ لینے میں حق بجانب ہیں۔ جبکہ عوام نے ہمیں ایسا کرنے کے لئے جمہوری یا کسی آئینی رو سے نمائندگی کرنے کا حق نہیں دیا ہے۔ ہم یہاں پر انفرادی حیثیت میں جیرو میں صاحب کے نامزد گان ہیں۔

۲) یہ ناقابل تردید حقیقت ہے کہ متنازعہ کشمیر کے تین اہم فریق ہیں۔ یعنی مملکت بھارت، مملکت پاکستان اور جموں و کشمیر کے ۵۵ لاکھ مظلوم، محکوم اور خرید و فروخت

وقت اور پورے لے کر نیچے تک بھی چیلے جانے فرقہ پرستی اور دشمنی کے پروانے نکال کر کالے قوانین کے تحت ختم کیا جاتا ہے۔ اگر یہاں ظلم کے خلاف کبھی احتجاج کی صورت لے تو کشمیر کے ہارنی ڈنڈا پولیس ناقابل بھروسہ سمجھ کر ۵۰ جی گولیاں دافر ہوتی ہیں۔ اس وقت بھارت کی جلد ایڈمنسٹریشن زندہ جاوید نظر آتی ہے۔

مگر افسوس تو یہ ہے کہ غیر یقینیت کے دور سے کشمیر میں چنداں الوقت ضیاع فروش سرمایہ پرستوں اور اقتدار پرستوں نے جنم لیا۔ ان کی چاندنی اور وجود اس طرح سے قائم ہے کہ یہ اپنے آقاؤں پر آج نہ آنے کے لئے ان کی گولی کو مزوری داد کی ٹیکہ سے تمیر کرتے ہیں، اور ان حق کو فرقہ پرستی اور جائز مطالبات کو دشمنی اور تحریب سے تمیر کرتے ہیں حقیقت، انصاف اور حب الوطنی کو موٹی غلاف میں لپیٹ کر رکھتے ہیں۔ یہ سامراج سے ایکٹ کشمیریوں کے بلند کردار کو غلط تاویلات دے کر زک پہنچاتے رہے۔ آف اڈوں کی خوشنودی کے لئے سب کچھ بیچ رہے ہیں۔ ان کے ہاتھوں سے کالے قوانین مسلط کئے جاتے ہیں۔ انٹر وکیشن سنٹرز، جو نازی کیپیوں کو بھی مات کر چکے ہیں، قائم ہیں۔ جہاں محب وطنوں اور ہمارے مستقبل کے روشن میناروں (طلباء) انجینئرس، ڈاکٹرس، مفکروں، دانش ور ادیبوں کو مغلوب کیا جاتا ہے۔ یہ امور واقع ہے کہ یہاں کا مسلمان صدیوں سے مسلسل اور متواتر غلامی کی وجہ سے من حیث القوم تعلیمی اور اقتصادی دور میں کافی پیچھے ہے۔ ملازمتوں اور ٹرننگوں پر آبادی کا تناسب ایک طرف چھوڑ کر قابلیت کی قید لگانا پس ماندہ قوم کی تباہی کے آلہ کار بنے ہوئے ہیں۔

اس حقیقت سے بھی انکار نہیں کیا جاسکتا ہے کہ ڈوگرہ اور لدماخی دینہ کچھ ترقی کی دودھیں ابھی پیچھے ہیں۔ اگر ان کے لئے صوبوں کی بنیاد پر حوصلہ افزائی کی جاتی ہے تو ہمیں افسوس نہیں ہوتا ہے۔ لیکن کشمیری کی حوصلہ شکنی حکومت کی اس دورانی

انہ پر ہوئے ہیں۔ کشمیریوں کی روایتی برادری کو اس طرح تقسیم کرنے کی کوشش جاری ہے کہ مسلمان قوم جو ریاست کی پشتی باشندہ ہے، ناقابل بھروسہ سمجھی جاتی ہے۔ لیکن دکھنا یہ ہے کہ ایسے نہریے جڑیوں نے کہاں سے پرورش پائی؟ جب سکیورازم کے بانی تنگ نظریہ (فرقہ پرستی) کے سامنے ہتھیار ڈال کر اکھنڈ بھارت کی تقسیم مذہبی بنیادوں پر تسلیم کر چکے۔ جنگال اور پنجاب کو جمہوری اصولوں کو ایک طرف چھوڑ کر اسی تنگ نظریہ بنیاد پر پاش پاش کرنا قبول کیا۔ تو اس تاریخی غلطی کا لازمی نتیجہ یہ ہوا کہ بھارت میں درندہ فعلت اور آزادانہ نظریات کے فرقہ پرست روز بروز قوت پکڑتے جاتے ہیں مسلمانوں کی معقولہ و غیر معقولہ جائداد نذر آتش کرنا اور لوٹنا ان کے لئے روزمرہ کا شغل بنا ہوا ہے۔ بچوں، عورتوں، جوانوں اور بوڑھوں کو آگ میں ڈالنا اور قتل کرنا اس تنگ نظریہ کے لئے آبیاری سے تمیر کیا جاتا ہے۔ آئین ہند کا مفاد اور سکیورازم کے بانی ان سے باشندگان بھارت کو نہیں بچا سکتے ہیں۔ گویا بھارت کی ساری پولیس، سنٹرل ریزرو پولیس اور فوج مود گیر ذرائع ایسے ساخت پر ختم تر سے بیکار کرتے ہیں، علی اقدام کے بدلے آئین بھارت کے محافظ زبانی الفاظ کے جوڑ سے اپنی ذمہ داریوں اور مجرمانہ فعل کو چھپانے کی کوشش کیا کرتے ہیں۔ آئندہ ہر قوم کے واقعات نہ ہونے کی ضمانت دیتے آئے ہیں۔ لیکن پچھلے ۲۲ برسوں میں جب سے بھارت "سکیورازم کے دیوتاؤں" کے پیر ہوا، ایک بھی خون کا بدلہ خون سے نہیں لیا گیا۔ سکیوریزم چھائیوں کے تحت جو گورنٹ بونیڈریٹس ہیں۔ وہاں بھی اقلیتی فرقہ کے طالب علم خاص طور مسلمان محفوظ نہیں ہے۔

اب اگر یہاں کا مسلمان اس جان لیوا ماحول سے گھبرا کر جان مال تہذیب تمدن اور مذہب کی حفاظت کے لئے جملے پناہ کے لئے اظہار رائے کرتا ہے۔ تو انہی

ہوتی رہے اور ہمیں آنکھیں اور کان بند کر کے یقین کروانا چاہتے ہیں کہ تنازعہ کشمیر ختم ہو چکا ہے اور ہمیں بے پرکاش نرائن جیسا "عظیم لیڈر" مشورہ دیتا ہے کہ بھارت کا اٹوٹ انگ تسلیم کرتے ہوئے چند رعایتوں کے لئے جدوجہد کرنی چاہیئے۔ اس طرح وہ بھی بنیادی جمہوری حق جزا فیائی اتصال اور ممانعت اور تمدنی رشتے بے حقیقت قرار دیتے ہیں۔ مگر ایک ذی شعور اور دور رس نظر رکھنے والا جانتا ہے کہ تنازعہ کشمیر ایک حقیقت ہے۔ وقتی طور اگر یقین اس کے محل وقوع، فطری رجحانات اور بنیادی حق کو نظر انداز کر کے کوئی فیصلہ لیں تو یہ نقش بر آب ہوگا۔ اگر اس مسئلہ کو حقیقت سمجھ کر اس طریقہ سے سلجھانے کی کوشش نہ کریں تو یقیناً یہ تنازعہ پاک و ہند کو کیا بلکہ تمام ایشیا کو شیعوں کی لپیٹ میں لے گا۔

تنازعہ کشمیر کا تیسرا پہلو یہ ہے کہ ریاست کشمیر کے لوگ پچھلے چہار صد سال سے اپنی سرداری کھو چکے ہیں۔ جب ہم سے ہتھیار چھین لیا گیا تھا۔ ہم اس وقت سے بے دست پاکہ عالم میں گزر رہے ہیں۔ ہمارے پاس اپنی حفاظت کے لئے چھ اپرچ والی چاقو رکھنا جرم ہے۔ اس غلامی نے ہمیں تو ہم پرست بھیدیکبروں کی طرح بے جا بنا دیا ہے۔ ہماری تہمتی کا حال بیچ نامہ امرتسر سے صاف ظاہر ہے۔ یہ بیچ نامہ ہماری منقولہ و غیر منقولہ کا ہی نہیں بلکہ انسانوں کا بھی سودا کرتا ہے۔ کشمیریوں نے حقوق انسانیت کے لئے ۱۹۳۱ء سے جدوجہد شروع کی اور ۱۹۴۷ء میں کوٹ کشمیر کا نرہ اس غیر اخلاقی اور غرق انونی بیچ نامہ کے خلاف کھلی نفاذ تھی تاکہ انسانی عظمت سے یہ بدعناد صوبہ منٹ جلے۔ اس کے بعد حالات نے ایسا پلٹا کھایا کہ ہماری یہ تحریک مرض التوا میں پڑ گئی اور یہ تحریک تشنہ طلب رہی۔ ڈوگرہ خاندان کو کشمیر پر حکومت کرنے کا حق اس غیر قانونی بیچ نامہ کی رو سے ہی ہے اور اسی ناجائز قبضہ کے بل بوتے پر کشمیر کا الحاق

پالیسی سے ہوتی ہے کہ جنوں میں اگر حصول مطالبات کے لئے جائز یا ناجائز کوئی ایکٹیشن ہو رہا ہے۔ تو حکومت ان کے سامنے بے بس ہو کر ہتھیار ڈال دیتی ہے۔ فوراً سمجھوتہ کرتی ہے۔ اگر کبھی کوئی چلی تو منہ مانگا مواد منہ دیا جاتا ہے۔ کشمیر سے پہلے ہی کوئی چلانے والا عملہ مصل کیا جاتا ہے۔ اس کے مقابلے میں جب کشمیر میں طلباء اپنی بے روزگاری کا دوا مل کر رہتے ہیں یا عوام کبھی کبھی نظریوں کے خلاف آواز اٹھاتے ہیں۔ تو ان پر یہ سامراجی آلہ کار ان کو بندو قوں سے پھیلنی کرتے ہیں۔ مگر جنوں کی طرح ان کی سرسبز ٹپ نہیں ہوتی ہے حال ہی کا واقعہ ہے کہ جب طلباء اور عید گاہ میں بنویر حکم مجبوریٹ کئی افراد شہید کئے گئے ماحول کچھ ایسا پیدا کیا گیا کہ زیادہ کسی غریب کے چورے مر گئے۔ اب طرہ یہ ہے کہ بھارت کے سیاست دان اور اقتدار پرست ٹوٹی کشمیری عوام کے لئے ایک نیا فارمولہ لائے ہیں۔ وہ یہ ہے کہ کشمیری کو راشیاری کی مانگ کرنا چاہیئے۔ اس سے بھارت کے مسلمان باشندگان کو ہندو فرقہ پرست نہیں ماریں گے۔ گویا مسلمان بھارت کی جان بخشی ہماری غلامی کا متبادل حل ہے اور یہ لوگ ایسی بات کرتے ہوئے شرم بھی محسوس نہیں کرتے ہیں۔ کیا وہ بالواسطہ ہمیں بھارت آئین کو ماتحتی کے دانت ہونے کی قلمی کھولتے ہیں؟ یہ تو اب ہماری مظلومیت کی حد ہے۔ بھارت کے صوبے خود مختاری کی تحریکیں منظم کریں۔ اس سے کسی فرقہ کو خطرہ نہیں، اگر کشمیری عالمی کورٹ کی دی ہوئی ڈگری (راشیاری) کو ٹلی شکل دینے کی مانگ کرے تو نفاذت قرار دی جائے اور بھارت کے مسلمانوں کو قتل کر دیا جائے۔

اس تصویر کا دوسرا پہلو یہ ہے کہ حکومت بھارت پاکستان کے ساتھ تنازعہ کشمیر کا حل مشترکہ جٹیکوں میں شمولیت کرتا رہے۔ یا شتند کا نفرنس میں بھی تنازعہ کشمیر کے حقیقت تسلیم کرتا رہے۔ سرزمین کشمیر میں رات و دن فوجی نقل و حرکت ہوتی رہے۔ سفید جیبوں میں سلامتی کونسل کی نگہبانی پارٹیاں گشت کرتی رہیں۔ جنگ پر جنگ

طاقت سے اس کو گرفتار کیا اور بیشتر اسمبلی ممبران نے اپنے بانی کاروں کے خلاف عدم اعتماد کا ووٹ پاس کیا۔ پھر اسی اسمبلی کے بنائے والوں کو ہی کہنا پڑا کہ یہ اسمبلی ممبران عوامی اعتماد نہیں رکھتے ہیں اور خود ساقط ہوئے۔

اس کے بعد بخشی غلام محمد صاحب کی باری آئی۔ تو اس کو بھی شمس الدین کے روپ میں خود بنائی ہوئی اسمبلی جموں سے عدم اعتماد کا مظاہرہ دیکھنا پڑا۔ آخر اس کو بھی قلمی کھوٹی پٹری کہ ممبران خریدے گئے ہیں۔ بے ایمان ہیں وغیرہ۔ آخر پر صادق صاحب کی اسمبلی وجود میں آئی۔ اتنی بات مل میں لائے گئے۔ ہم معنی شاہ ہیں۔ مائی کورٹ میں اب تک کئی ٹریوں کا فیصلہ مل طلب ہے۔ حال ہی کا واقعہ ہے کہ اس کو بھی انجی ممبران نے اکثریت کے بل بوتے پر عدم اعتماد کا مظاہرہ کھلے بندوں مرکز کے دار الخلافہ پر جا کر کیا تھا۔ چونکہ ان کی یہ حرکت منشا مرکز کے برعکس ثابت ہوئی۔ تو ان کی بے جا جرات اکارت ہوئی اور ان کے دماغوں سے یہ جہور نہ کیڑے ڈی۔ ڈی۔ ٹی دوا چھڑکنے سے مر گئے۔ حتیٰ کہ یہ منظر سبق آموز تھا کہ جب صادق صاحب کو ہر طرف اندھیرا ہی اندھیرا نظر آیا۔ تو اس نے اپنے ہی ممبران کا راز فاش کرتے ہوئے خود ساختہ اور کسی کو غیر راستی کہا۔ صاف ظاہر ہے کہ یہ اسمبلیاں مرکزی سپیکر ہیں اور یہ اسمبلیاں ہاتھی کے دانت ہیں۔ اس پس منظر کے بعد یہ خیال کرنا کہ یہ لاغر اور مجبور گھوڑی (کشمیر اسمبلی) جس کی لگام طاقتور کوچوان کے ہاتھ ہو اور کوچوان نے اس لگام کی رکھوائی کے لئے وزیر نافع اور سی۔ آر۔ پی کے آدمی جو کشمیر کے چپے چپے پر چونکا اور چوکس ہیں مقرر کئے ہیں۔ تو کیا ممکن ہو سکتا ہے کہ یہ گھوڑی اس آہنی گرفت کے برخلاف سفر کر سکتی ہے؟ اب اگر ہم اس خود فریبی کا شکار ہو کر اس گھوڑی کو ذریعہ پاکستان... یا... آزادوستان قرار دیں گے۔ تو یہ سوچنا گرا ہی نہیں تو اور کیا ہے؟ اب جو اسمبلی کے کریکٹور پردہ ڈالتے ہوئے عوام کی توجہ ممبران اسمبلی کی طرف دلائی جاتی ہے کہ یہ بے ایمان ہیں

بھارت کے ساتھ وجود میں آتا ہے۔ بدیں وجہ آج ڈوگرہ خاندان کا وارث شری یو دراج کرن سنگھ صاحب پر یوپی برس کے ماسے ہی باقی راجوں سے مختلف پوزیشن مبتلا رہا ہے اور منزل حکومت میں بھی منسٹر ہے۔

اس وقت ہمارے سامنے یہ مسئلہ ہے کہ ہم عوامی جدوجہد آزادی کشمیر میں کیسی شدت پیدا کر کے اپنے قدم آگے بڑھائیں گے۔ چند نقاد کاروان آزادی کی رائے ہے کہ اسمبلی اس کے لئے بل کا کام دے سکتا ہے۔ اس پر رائے دینے سے قبل ہمیں حالات اور تاریخ اسمبلی کا جائزہ لینا ضروری ہے۔

یہ امر واقعہ ہے کہ ریاست جموں و کشمیر کا مسئلہ ہونا ابھی باقی ہے۔ مدت کہ کشمیر کے ملک کے حکمران کے چکا ہے۔ جنگی ماحول بدستور قائم ہے۔ کشمیر کی سرحدیں قریباً نو سو میل کے فاصلہ پر پاکستان سے ملتی ہیں اور ریاست ایک باڈر سٹیٹ ہے۔ غیر یقینیت کے گھاونے بادل ہمارے سروں پر ہر وقت منڈلا رہے ہیں۔ کسی بھی لمحہ ایمر جنسی حالات کا خطرہ بعد از امکان نہیں ہو سکتا ہے۔ ان ہی حالات میں ۱۹۵۷ء میں پہلی اسمبلی کا قیام ہوا۔ برسرِ اقتدار گروہ اپنے اپنے دود میں من پسند نامزدگان کو بلا مقابلہ کامیاب کر داتے رہے۔ دھاندلیاں ہونا کوئی نئی بات نہیں ہے اور اس پر حیران ہونا یا افسوس کرنا بے معنی ہے۔ چونکہ دیکھنا یہ ہے کہ آیا مرکز ڈھیل دے کر اس پر دیکھنا ڈھیل دے گا یا الف ہونا گوارہ کر سکتی ہے۔ دنیا کو انجی خود ساختہ اسمبلیوں کا حوالہ دے کر متنازعہ کشمیر کو جتنی بھارت طے شدہ مسئلہ قرار دیا جاتا ہے۔ اسمبلی متذکرہ کا ممبر ہی بن سکتا ہے۔ جو اپنی آزاد خیالی پر پہلے ہی تالہ لگانا قبول کرتے ہوئے یہ تحریری ملف نامہ پیش کریں کہ کشمیر بھارت کا ٹوٹ انگ ہے۔ اب ان اسمبلیوں کا پورٹ مارٹم کے ان کی بے بسیوں نظر ہر ہوتی ہے کہ جب ۱۹۵۷ء میں شیخ صاحب کو مرکزی پالیسی کے ساتھ اختلافات ہوئے تو

ہی اُدھلے گی۔ چونکہ تاریخ گواہ ہے کہ حق کی فتح یقینی ہو کر رہی ہے۔

جہاں تک تجویز "ج" کا تعلق ہے۔ اس کے بارے میں میری یہی ناچیز رائے ہے کہ اندرونی نظام کا سوال اس وقت پیدا ہو گا۔ جب ریاست میں غیر یقینی حالات قائم ہونگے۔ کشمیری بیرونی خطرات اور سازشوں سے نجات پاگئے ہوں گے۔ عارضی جنگ بندی لائن موجود نہ ہو۔ یو۔ این۔ او کے ممبروں کی موجودگی نہ ہو۔ جب کہ اس وقت سمندر میں طرفان قائم و دائم ہے۔ تو عالم سکون کی باتیں سوچنا قبل از وقت ہے۔ اسی طرح سے سوچنا موجودہ جنگ آزادی کے لئے انتہائی مہلک ثابت ہو گا۔ عوام اصل مقصد کو بھول کر فردی مسائل میں لگ جائیں گے۔ اس کے متبادل میری رائے یہ ہے کہ ہم یہاں کی سبھی سیاسی جماعتیں ایک قومی محاذ کا قیام عمل میں لائیں۔ جس کے مقاصد یوں ہونے چاہئیں:-

۱) عوام کا کردار اور شعور بلند کرنا۔

۲) کانے قوانین کی منسوخی۔

۳) اندھا بانٹ کا خاتمہ۔

۴) ہر شہری حقوق کی کیمانی۔

۵) پس ماندگان طبقہ کو ترقی یافتہ طبقات کے معیار کے برابر ہونے تک گلشنی کشین

عینی سفارشات پر عمل درآمد کروانا۔

۶) ریاست کی ہر قوم کو متناسب آبادی کے مطابق ایڈمنسٹریشن اور دیگر شعبہ جات

میں حصہ دلانا۔

۷) استحصائی وسیلوں کو انٹر کی نظام میں تبدیل کروانا۔

۸) گراں بازاری، رشوت ستانی، ناقص غذا اور کنبہ پروری کا خاتمہ کروانا۔

۹) قومی جانمادی حفاظت کے لئے قومی محفظوں کو منظم کرنا، ترویج دلانا

دعا باز ہیں۔ قوم فروش ہیں اور رزمیہ وطن سے بھرے ہوئے ہیں دینہ و دینہ ٹھیک نہیں ہے۔ چونکہ ایک تھلک کسی شیطان ملک سے نہیں آئے ہیں۔ بلکہ یہ بھی ہمارے ہی ملک اور ماحول کے پیداوار ہیں۔ دیکھنا یہ ہے کہ کیا ان کے کسی جنم داتا نے ان کو نامزد کرنے کے وقت اعلیٰ کردار ہونے کا معیار لازمی قرار دیا تھا۔ تاریخ گواہ ہے کہ ان کو وقت و وقت کے معجز داتاؤں نے بالکل محدود نظریہ کی کوٹ پی پر رکھ دیا۔ ان کو قویوں کی وجہ سے ان کی ہر ہڈی کا پردہ ہڑتار ہا۔ آج ہم دیکھتے ہیں کہ سماج میں موقع پرستی اور سرمایہ پرستی کی بیماری عام ہوئی ہے۔ اخلاقی میار گرتا جا رہا ہے۔ بہرگز گاری امانت داری اور حق شناسی کو قصہ پارینہ سے تعبیر کیا جاتا ہے۔ رشتے بھی مذہب یا اخلاق کو بالائے طاق رکھ کر سرمایہ کے بل بوتے پر ہر وہ ہے جس میں غرضیکہ ہم گمراہ ہوں گے دلدل میں روز بروز پھنستے جا رہے ہیں۔ اس کے برخلاف کہیں روشنی کی کرن نظر نہیں آتی ہے۔ نقص صوف مبران اسبلی ملک ہی محدود ہیں ہے۔ بلکہ غیر یقینی حالات نے پوری قوم کو مخلوج بنا کر رکھا ہے۔

اس مختصر تجزیہ کے بعد یہی نتیجہ اخذ ہوتا ہے کہ ملکہ کشمیر کے سبھی فریقوں کا مشترکہ اجلاس

ہونا چاہیے۔ جزائفاً فی اتصال تہذیب اور تمدن جیسی حقیقت کو نظر انداز نہیں کیا جاسکتا

ہے۔ بھارت کے مسلم کش رجحانات کو پس پشت نہیں ڈالا جاسکتا ہے۔ اس لئے تجویز "ب"

کے لئے راقم کا خیال ہے کہ تمام غیر ریاستی افواج کے انخلا کے بعد غیر جانبدار ممالک کی

نگرانی میں مقررہ مدت (زیادہ سے زیادہ پانچ سال) کے اندر اندر آزادانہ رائی شماری عمل میں

لائی جائے۔ یہی وہ واحد حل ہے کہ جس سے انسانی غفلت، بھائی چارہ اور جمہوریت کے

روایات کی آبیاری ہو سکتی ہے۔ انھی پاک مقاصد کی خاطر کشمیریوں نے ۱۹۴۷ء سے

بیش بہا قربانیاں پیش کی ہیں۔ اگر ہماری بہت اس فطری حق کو حاصل کرنے میں جواب

دیتی ہے۔ تو مجھے یقین ہے کہ ہمارے نوجوان اور آئندہ نسل اس بنیادی حق کو حاصل کر کے

جوں و کشمیر میٹ پیوپلز کنونشن مجاہد حنزل سرینگر

مندرجہ ذیل تجویز جناب محمد رشید الدین صاحب مفتی اعظم اول کی طرف سے موصول ہوئی ہے:

"میں نے میٹ پیوپلز کنونشن میں مسئلہ الحاق کے متعلق اپنا واضح نقطہ نظر پیش کیا ہے۔ یہ مسئلہ الحاق رائیتماری کے مسئلہ جمہوری اصول کے تحت طے ہونا چاہیے۔ سالم رائیتماری ہو یا علاقائی، موخر الذکر کی صورت میں ریاست کی تقسیم ہو سکتی ہے۔ ریاست کی مکمل آزادی خود مختاری بھی مسئلہ کا مناسب حل ہے۔ لیکن یہ موقف تجھی ردِ بعل آسکتا ہے۔ اگر مملکت پاکستان کی رضا ہو۔ ان کی رضامندی ضروری ہے۔ تجاویز مندرجہ "ب" "ج" جس صورت میں مندرجہ بالا تجاویز کے مطابق ہوں۔ وہ مشکل قابل قبول ہیں۔ بہر حال مسئلہ مثبت طریقوں سے حل ہونا چاہیے۔

مہٹ دھری "صند سے معاملہ الجھ گیا ہے۔ ورنہ مسئلہ پے چیدہ نہیں۔ بلکہ صاف اور واضح ہے۔

محمد رشید الدین مفتی اعظم اول
(کشمیر)

اور ضروری دفائی سامان کا حاصل کرنا۔

یہی طریقہ ردِ بعل لانے سے مسائل حل کئے جاسکتے ہیں۔

آخر میں راقم یہ بات ضروری واضح کرنا چاہتا ہے کہ میں کشمیر پوٹیکل کانفرنس کے بانی ممبروں میں سے ایک ہوں اور اس وقت کبھی جنرل سیکریٹری کے عہد پر فائز ہوں۔ اس تنظیم کا موقف ردِ بعل لانے کے لئے اپنے رفیقوں کے شانہ بشانہ پیش بہا قربانیاں دیتا چلا آیا ہوں۔ اسی طرح دوسری ایسا تنظیموں مثلاً محاذ رائیتماری، مسلم کانفرنس، عوامی اکیشن کمیٹی، ڈیموکریٹک پارٹی اور طلبہ کی تنظیمیں وغیرہ وغیرہ نے بھی معمول رائیتماری کے لئے گونا گوں قربانیاں پیش کی ہیں۔ سینکڑوں محب وطن شہید ہوئے اور لاکھوں مختلف مصائب و آلام کے شکار ہوتے چلے آ رہے ہیں اور ہزاروں اسی پاک عقیدہ کے لئے جلا وطنی کے دن گزار رہے ہیں۔ ہماری تنظیم کے ممبر اس ہر سال حصول رائیتماری کے لئے تجدیدِ عہد کیا کرتے ہیں۔ ان حقائق کے پیش نظر اگر میں یہاں کوئی دوسری رائے ماسوائے رائیتماری پیش کروں۔ جب یہ عیاں ہے کہ ہم اپنی اپنی تنظیموں میں بدستور اپنے موقف پر قائم ہیں۔ تو اسی طرح سے میرے قول و فعل میں صاف تضاد ظاہر ہوگا۔ اور میں خدا کے دربار میں منافقوں کی فہرست میں درج ہوں گا۔

اب اگر یہاں پر اکثریت رائے سے کوئی فیصلہ خوش فہمی سے لیا بھی جائے تو اس فیصلہ کا اطلاق جمہوری اور آئینی روایات کے عکس ہوگا اور فیصلہ کرنے تک ہی محدود رہے گا۔

مخلص

غلام احمد میر

کی جائے کہ اس نے اُن ریاستی باشندوں کو یہاں اس کنونشن میں شرکت کی اجازت کیوں نہیں دی بھو آزاد کشمیر میں مقیم ہیں یا جلا وطنی کی زندگی بسر کرتے ہیں اور کنونشن کے چیرمین نے جن کو شرکت کی دعوت دی تھی۔ اس سے اندازہ ہوتا ہے کہ ہماری آزادی میں رکاوٹ اور کشمیر کے مسئلہ کو منصفانہ طور پر حل کرنے میں کوئی مملکت سدراہ بن رہی ہے۔ ہندوستان یا پاکستان ہا اسی قرارداد میں ہمیں حکومت پاکستان کی شکرگزاری کا بھی اظہار کرنا چاہیے جس نے ان مندوبین کو یہاں آنے کی اجازت دی تھی۔

حضرات! حکومت ہند کا دعویٰ ہے اور وہ آئے دن کوہ بہالیہ کی بلندی پر سے اس خوش فہم دعویٰ کا اعلان بھی کرتی رہتی ہے کہ آزاد کشمیر اور مکہ کے چین اُسی طرح ہند کا حصہ ہیں جس طرح الہ آباد یا پٹنہ یا ہند کا کوئی اور حصہ۔ مگر افسوس کا مقام ہے کہ ایک ہی ریاست کے باشندے ایک جگہ سے دوسری جگہ جا کر اکٹھے نہیں بیٹھ سکتے۔ اس لئے ہند کا یہ دعویٰ کہ کشمیر ملک ہند کا "انٹوٹ انگ" ہے از خود غلط ثابت ہو چکا ہے۔ اس پر طرہ یہ کہ حکومت ہند اپنی ہی ایک ریاست کے باشندوں سے اس قدر غائف ہے کہ ان کی موجودگی سے ملک کی دفاعی حالت خطرے میں پڑ سکتی ہے۔ حالانکہ وہ لوگ جو کھلم کھلا دوسرے ممالک کی جاسوسی اور پرچار کرتے ہیں۔ ان پر ایسی پابندی آج تک نہیں لگائی ہے۔ ان کو ملک بدر نہیں کیا جاتا اور وہ ہند کے ایک کونے سے دوسرے کونے میں آزادی سے جاسکتے ہیں۔

مگر چیرمین نے چند ایسے مندوبین کو خط التوائے جنگ کے اس پار سے مدعو کیا تھا۔ جن کے بارے میں حکومت ہند کے پروپیگنڈسٹ یہ کہتے بھی نہیں تھکتے کہ وہ پاکستان کے رویہ سے ننگ آچکے ہیں اور اب وہ ہند موافق ہو چکے ہیں۔ جن کو ریڈیو کشمیر اور آل انڈیا ریڈیو ہر روز اُچھا لاتا رہا ہے۔ مگر ان کو بھی یہاں آنے کی اجازت نہ دی گئی۔ اگر وہ یہاں آجاتے

دستاویز ۲۷

جوں و کشمیر سٹیٹ پیوپلز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب پیرزادہ علی شاہ صاحب ساکن محلہ زیندار صاحب سرنگر کی طرف سے موصول ہوئی ہے:-

”جناب چیرمین، خواتین و حضرات!

میں اور ایک بار منتظمین کنونشن کا شکر گزار ہوں کہ انھوں نے مجھے دوسری دفعہ اس کنونشن میں شرکت کی دعوت دے کر میری حوصلہ افزائی کی ہے۔

آج ہمارے سامنے طریقہ کار کی قرارداد منظور شدہ مورخہ ۳۱ دسمبر ۱۹۶۹ء اور قرارداد مورخہ ۱۷ اکتوبر ۱۹۶۸ء اور سب کیٹی کا EVALUATION REPORT اور سب کیٹی کا تیار کردہ ریاست جوں و کشمیر کے لئے اندرونی آئینی ڈھانچہ کے خدوخال بھی ہیں۔ جن کے روشنی میں مندوبین کو فیصلہ کرنے کے لئے کہا گیا ہے۔

قبل اس کے کہ میں ان تجاویز پر اپنی رائے کا اظہار کر سکوں۔ مناسب سمجھتا ہوں کہ کنونشن کی طرف سے یہاں ایک قرارداد منظور کرنی چاہیے۔ جس میں حکومت ہند پر ملامت

نے ہمارے سامنے رکھی ہیں کے ساتھ مطابقت رکھتی ہوں۔ اس کے ساتھ ساتھ یہ بھی شرط رکھی ہے کہ کشمیر کے مستقبل کے مسئلہ کا حل ایسا ہو کہ جو جمہوری پُر امن منصفانہ اور حقیقت پسندانہ ہو اور جس سے کشمیر کی ریاست کے مختلف علاقوں کے مفادات کی حفاظت اور سیکور جمہوری جماعتوں کے ہاتھ بھی مضبوط ہوں۔ ریاست اور برصغیر ہندوستان و پاکستان میں فرقہ وارانہ بھائی چارہ اور میل ملاپ قائم رہے اور تحریک آزادی کی گذشتہ روایات اور قدروں کے ساتھ میل کھاتی ہوں۔

حضرات! میں حیران ہوں کہ جبکہ ریاست جوں و کشمیر کے عوام سے وعدہ کیا گیا ہے کہ ان کے مستقبل کا فیصلہ رائے شماری سے ہوگا اور یہ جمہوری حق دونوں ملکوں نے اقوام متحدہ کے ایوان میں کئی بار تسلیم بھی کیا ہو پھر یہ سوال کیوں اٹھایا جائے کہ اس فیصلہ سے کیا نتائج اور کس کے لئے کیا ہوگا اور کیا نہ ہوگا؟ سیکور طاقتوں کا کیا ہوگا؟ مزید دوسروں کے مفادات بچانے کے لئے اپنے مفادات کو قربان کرنا کہاں کی عقل مندی ہے؟ اس بارے میں یہ کہنا کوئی غیر موزون نہ ہوگا کہ کشمیر ہندوستان کی مسلم اقلیت اور غیر مذہبی جماعتوں کے لئے گزشتہ تیس سال سے تجربہ گاہ کا کام دیتا رہا اور وہ تمام تجربے ان کے لئے ناکام رہے۔ اس رتن صدی میں جتنے مسلم کش فسادات ہو گئے، وہ ثابت کرتے ہیں کہ ہمارا ہندوستان میں رہنا یا نہ رہنا ان کے لئے کیا ہی ہے۔ تیس سال ان کے ساتھ رہ کر بھی وہ گاجرونی کی طرح کٹتے رہے اور سیکور جماعتیں ماسوائے کمیونٹ پارٹی آف انڈیا ان کے کسی کام نہ آئی۔ اب اگر اس پارٹی کے ہاتھ مضبوط کئے جائیں تو ہم چینی کمیونسٹوں کے ایجنٹ قرار پاتے ہیں اور مستحق گردن زنی بن جاتے ہیں۔

ریاست کے لوگوں کی نظر میں جمہوری اور منصفانہ اور پُر امن اور حقیقت پسندانہ حل اگر ہے تو رائے شماری ہی ہے۔ ریاست کے لوگوں کو یک طرفہ چھوڑ کر یہ

ہم کھاپی کہتے اور کچھ ان کی سنتے اور اندازہ کرتے کہ جبکہ ہندی لائن کے دونوں طرف کس قدر سیاسی رجحانات ہیں ہم آہنگی ہے۔ مگر یہاں یہ بنایا گیا کہ دفاعی خطوں میں چڑھنے کا اندیشہ ہے۔ بھلا مجاہد منزل میں کونسے محاذ جنگ یا فوجی STAFF یا ٹینک یا توپیں رکھی گئی تھیں۔ جوان ہندوین کو نظر آتے۔ دفاعی پیش بندی کے طور پر ان ہندوین کو سرنگر سے باہر جانے کی اجازت نہ کی و بھائی تو کوئی ہرج نہ ہو تا اور کنونشن قدرے مناسدہ حیثیت اختیار کر لیتا۔ دوسرے عمائد کے بریل خصوصاً جنرل محمد موسیٰ جب ہندوستان آئے تو اس وقت کوئی دفاعی کمزوری ملک کو پیش آئی؟

حضرات! ان دستاویزات کی روشنی میں جو ہمارے سامنے رکھی گئی ہیں، ہمیں اپنی تجویز پیش کرنے کی اجازت بخشی گئی ہے۔ میں نے اپنے پہلے "PAPER" میں جو گذشتہ کنونشن کے موقع پر پڑھا گیا، اظہار کیا ہے کہ پاکستان کو ہماری یا ہمارے ملک کی ضرورت ہو یا نہ ہو۔ مگر کشمیر کے لوگوں کو پاکستان سے الحاق کی اشد ضرورت ہے۔ میں یہ بات بلا خوف و تردید کہتا ہوں اور عوامی اسٹگوں کی ترجمانی کرتا ہوں اور صرف مذہبی جذبہ کے تحت ہی نہیں کہہ رہا ہوں بلکہ ٹھوس حقائق کی روشنی میں اور ملک کی اقتصادی ترقی کی خاطر اور باشندگان ریاست کی فلاح مد نظر رکھ کر کہہ چکا ہوں۔

قبل اس کے بھی عرض کر چکا ہوں کہ خلدون دیکم نے ہماری ریاست کا جغرافیائی علیہ ہی ایسا بنایا ہے کہ یہاں کے لوگوں کے مذہبی تمدنی رشتہ کے علاوہ یہاں کے پہاڑ دریا، ٹپکس، آب و ہوا کے حالات، زمین کی بناوٹ (TOPOGRAPHY) پاکستان سے الحاق لگاتے ہیں۔

حضرات! ہر کمیٹی کی یہ بھی سفارش ہے کہ مسئلہ کشمیر کے مستقبل کے حل کے لئے جو بھی تجویز پیش ہو وہ گذشتہ کنونشن پر پیش کردہ تجاویز اور دستاویزات جو ہر کمیٹی

سے علاوہ رائے اختیار کر دیا اور یہ وعدے دلانے تھے کہ ہند میں رہ کر کشمیری مسلمان زیادہ آرام و آسائش میں رہیں گے۔ مگر یہ سب خیال است و خیال است و جنوں کے مصداق ان کے لئے سبب ثابت ہوا۔ پورے تیس سال کا عرصہ گزر گیا۔ شیخ صاحب کو امید تھی کہ ہندوستان کا اکثریتی فرقہ انھیں اور کشمیریوں کو سرائی گھوڑوں پر بٹھائے گا اور ریاست کی اندرونی ترقی میں مدد کا ثبات ہو گا لیکن تین چار سال کے بعد ہی ہندو سامراج اپنے اہلی روپ میں ظاہر ہوا اور بازاروں میں چلتے پھرتے مزدوروں اور ناخواندہ کسانوں کا نظریہ صحیح ثابت ہوا کہ ہند میں رہ کر ہم گھٹائے میں رہیں گے اور ۱۹۵۲ء میں محترم شیخ صاحب کو گرفتار کیا گیا۔ اس تیس سال کی آزادی کے دور میں ہندی مسلمانوں پر اور ریاستی مسلمانوں خصوصاً پوٹھ اور راجوری کے مسلمانوں پر کیا جاتی ہے وہ ڈھکی چھپی بات نہیں ہے جس کا ہم سب مشاہدہ کر چکے ہیں۔ کیا یہی صلہ تھا جو ہم لوگوں کو اپنے بھائیوں سے لٹا کر ہند سے عارضی اور مشرط الامنیٰ کرنے کے عوض مل گیا ہے کہ ہمیں سے مظلوم سے مظلوم تر بنایا جائے۔ ابھی دفعہ ۲ موجود ہے اور ہماری قسمت کا فیصلہ ہو نا باقی ہے۔ اگر ہم سے غلطی ہو جائے اور ہم ہند کے ساتھ مدغم ہو جائیں تو ہمارا وجود ہی ختم ہو جائے گا۔ جموں میں جا کر دیکھئے! حکومت نے "مثنائی سیکورٹ ملک" میں کس قدر قاتلوں کو ہمارے فنا کرنے کے لئے آباد کیا ہے۔ کشمیر کے بازار دیکھئے کہ کس قدر غیر ریاستی باشندے یہاں بس گئے ہیں۔ ہماری تجارت کس قدر غیر ریاستی باشندوں کے ہاتھوں میں چلی گئی ہے۔ یہاں کا باشندہ صرف مزدور اور قسبی بن کر رہ گیا۔

حضرات! جب کبھی ریاستی مسلمان صحیح مطالبہ کے لئے تحریک چلاتا ہے تو سی۔ آر۔ پی۔ اور دھرمپال ریاستی پولیس ان کو چینی یا پاکستانی خیال کے ان بڑے دردی سے حملہ کرتی ہے۔ ان کی عورتوں کی عصمت دردی کی جاتی ہے۔ محترمہ پروین اختر والے بی بی ٹیشن

مل اقوام عالم نے بھی تسلیم کیا ہے اور جمہوری تقاضوں کے مطابق ہر ملک کو منظور بھی ہونا چاہیے۔ جرنی کے ڈکٹیٹر ہرٹز نے بھی "سار" کے لوگوں کا فیصلہ اپنے اوپر تسلیم کیا۔ پھر جمہوری مملکت پاکستان اور ہندوستان کیوں نہ قبول کریں جو جمہوری ممالک ہونے کے دعویدار ہیں۔ کشمیر کا کونسا فرزند ہو گا جو اس مانے اور تسلیم شدہ جمہوری حق سے دستبردار ہو گا؟ گذشتہ کنونشن سے اس وقت تک ہند کے حالات نے ایسا پلٹا کھایا اور ہماری آنکھوں کے سامنے رانچی، جیش پور، بیکانیر، جابالبہادور اور احمد آباد کے قیامت خیز مسلم کش فسادات رونما ہوئے جن کے متعلق تحقیقاتی رپورٹ یہ ہے کہ یہ جلنے بو جھنے اور قتل از وقت تیار کردہ پلان کے تحت رونما ہوئے۔ ان فسادات میں سیکور فورسز جن کا ہاتھ مضبوط کرنے کی رپورٹیں مانگ کر دی گئی ہیں کہیں تھے؟ اُس وقت شری جے پرکاش نرائن جی، شری ونو بھیا بھادوے جی اور ان کی ساتھی سینا مسلمانوں کو بچانے کے لئے کیا آٹے آئی؟ جو ہمیں موقع بدلانے کی اپیل کی جا رہی ہے۔ کیا ہندو فرقہ پرستی کا خونخوار بھیڑیا ہمارے حق کی دستبرداری سے بھرپور جلنے گا؟ احمد آباد کے مسلم کانگریسی صدر کو بھی نہیں بخشا گیا۔ جو نہ کبھی ادھ قوی، امرتہ اور نہ پاکستان کا حامی تھا اور سیکور کرکٹرز کا آدی تھا۔

حضرات! ان فسادات نے میرا موقف صحیح ثابت کیا کہ پاکستان میں غریبی کی زندگی بسر کر کے زندگی کی امان تو ملتی ہے۔ مگر ہندوستان میں امیر بن کر بھی غیر ملطینانی اور خطہ کی تلوار ہمیشہ سر پہ لٹکتی رہتی ہے۔

حضرات! ہم سب کو یاد ہے کہ جناب شیر کشمیر شیخ محمد عبداللہ نے جو اس کنونشن کے جزیروں میں ۱۹۵۱ء میں ناگزیر حالات میں عارضی اور شروط پر کشمیر کا الحاق ہند سے کیا اور ریاستی مسلمان آبادی کو براعظم کے مسلمانوں کے خلاف توقع سوا و اعظم

نوعیت ہی بدل گئی۔ ہم گھنے سے قاصر ہیں کہ یہ کیوں بہ گناہ کوئی کرے سزا کسی کو ملے۔
رائی شماری کا وعدہ ہم سے ہوا ہے۔ گناہ ان کے خیال میں پاکستان کے اور سزا کشمیری کو
ملے۔ یہ منطقی کچھ میں نہیں آتی۔ میں یہاں شری جے پر کاش نرائن جی سے عرض کرنا چاہتا
ہوں۔ کیا وہ اس بات پر تیار ہو گئے ہیں کہ تبت کے مسئلے کے بارے میں بھی اپنا موقف
بدلائیں۔ جہاں ۱۹۵۹ء سے بقول ان کے چین کا غاصبانہ قبضہ ہو چکا ہے اور تبت سے
چین نے راکٹ بھی فضا میں چھوڑے اور وہاں کلچر انقلاب بھی رونما ہو رہا ہے اور
چین سے اگر تبت چھین جائے تو اغلب ہے کہ سٹرچو این۔ لائی کی حکومت ہی نہ رہے
انھی ورائل کی روشنی میں تبت کے مسئلے کی نوعیت ہی بدل سکتی ہے کیا یہ دنیا میں عہد نامے
حکومتوں اور عوام کے ساتھ ہوتے ہی رہتے ہیں۔ لیکن سیاسی حالات بدل جانے سے
عہد نامے بدلتے نہیں۔ ہندوستان میں جب بے گناہ مسلمان کٹتے ہیں تو گاندھی جی کے
نائب شری ونو بھابھادے جی اور اُس کی شافی سینا ان فساد زدہ علاقوں میں مطلوب کو
پکانے کے لئے آتے ہی نہیں۔ گاندھی جی کی جم بھودی احمد آباد گجرات میں شری ہندو ڈیپانی
کی "سیکور گورنمنٹ" میں مسلمانوں پر کیا گزری وہ انہیں اشمس ہے۔ اُن مسلمان بھائیوں
کی حالت زار دیکھ کر نہرو امن ایوارڈ حاصل کرنے والا سیکورسٹ سر مدی گاندھی خان
عبدالغفار خان بھی لرز اٹھا۔ گاندھی جی کی روح بھی شرا گئی۔ پھر ہدایت ہے کہ فیصلہ ایسا
ہو کہ یہ نام ونہاد سیکورسٹ رٹائٹس کمزور نہ ہونے پائیں۔ ان نام ونہاد سیکورسٹ آدمیوں کے
خواہشات پوری کرتے کرتے ہم خود فنا ہو جائیں ہمارا وجود ہی ختم ہو کوئی دانا نی کا کام نہیں
ہو سکتا۔ شری بلراج مدھوک صاحب ہونے والے وزیر اعظم کو ہر انسانی "کرتے ہیں
اور وہ بھی سرنگریں کشمیری مسلمانوں کو پاکستان جانا چاہیے۔ ابھی ان کی حکومت صرف
تیس چار مہینوں میں ہی بنی۔ جب وہ وزیر اعظم بن جائیں گے تو ان کو اپنا فیصلہ عمل میں

کے وقت ثابت ہو گیا کہ باہر کی مسلح پولیس نے یہاں کی پولیس کو بھی نہ بخشا۔ جب کہ دل میں
ان پر کبھی لاطھی چارج ہوا۔ ریاستی مسلمان یہاں خائف اور ہراساں رہتے ہیں کشمیری
مسلمان اس قدر کمزور ہو گیا کہ انجینئرنگ کالج میں غیر ریاستی طلبہ نے ریاستی مسلمان
طالب علم کو چھرا گھونپ کر قتل کر دیا اور ریاست کا سیکورسٹ مسلمان شتمل نہیں ہوا۔ اس
کے برعکس دوسری ریاستوں میں جہاں ہندوؤں کی اکثریت ہے اتنے ہی معاملے پر سیکورسٹوں
بے گناہ مسلمانوں کی جانیں تلف ہو جاتیں۔ یہ ریاستی مسلمانوں کی بے بسی کا عالم ہے۔
جانب شیخ صاحب جب میرٹھ میں تقریر کرنے گئے تو وہاں کے مسلمانوں پر کیا گزری۔ وہ
عیاں ہے۔ حالانکہ شیخ صاحب کی ذات سیکورسٹ ہونے میں کسی تعارف کی محتاج نہیں۔ پھر
ہمارے مقدور کا فیصلہ کیوں ہندی سیاست سے وابستہ کیا جائے؟ تیس سال کشمیریوں نے
سیکورسٹ کے امتحان میں فٹ پوزیشن حاصل کی۔ مگر جب ہندو اور پاکستان کے درمیان
۱۹۶۵ء کی جگ چھڑ گئی۔ تو یہی کاہلیاب سیکورسٹ شخصیت شنبہ اور دشمن کا ایکٹ قرار
وطن سے بے وطن کر دیا گیا۔ ایک لاکھ مسلمان اسی بہانے موجودی اور پوچھ کے علاقوں
سے پاکستان بھاگ گئے۔ ریاستی اسمبلی کے ایک ممبر کا اہل و عیال بھی پاکستان جانے پر
مجبور ہو گیا۔

میں نے پہلے کنونشن میں اپنے مقالے میں دکھایا تھا کہ ہند میں کوئی ایسی جماعت
نہیں جو سیکورسٹ رکھلائی جاسکے۔ خالی دعوؤں سے کوئی جماعت سیکورسٹ نہیں ہو جاتی۔ جب
ملک ملادہ سیکورسٹ ثابت نہ ہو۔ ہندوستان کا سب سے بڑا سیکورسٹ شری جے پر کاش
نارائن جی کو بھی مسلم کش فسادات میں پاکستان کا ہاتھ نظر آتا ہے۔ اب کس سیکورسٹ
کے ہاتھ مضبوط کریں؟ گھنے سے قاصر ہوں۔ گوشتہ کنونشن کے افتتاح پر انھی صاحب
نے فرمایا کہ ہند کے ساتھ پاکستان نے ۱۹۶۵ء میں لڑائی کی۔ لہذا کشمیر کے مسئلہ کی

صرف چار سال کے اندر ہی بھارت اس موقف سے پھر گیا اور ملکیت پسندی کے لئے دنیا بھر کی رسوائی مول لی اور اپنی گرفت کشمیر پر مضبوط کرنا گیا۔ بھلا اب ہند پر کیا بھروسہ کیا جاسکتا ہے؟ جبکہ ہند کو اپنے मिثاقوں اور وعدوں کا کچھ پاس ہی نہیں۔ یہ کب ممکن ہے کہ وہ آزاد رہنے کی تجویز منظور کرے کہ ہم قبل از وقت اندرونی ڈھاپے بنانے بیٹھیں اور اپنے منولے ہوئے حق خود ارادیت سے محروم اور دستبردار ہونے کو تیار ہوں۔ ہندوستان کے ارباب اختیار کی نیت پر کھینے تو وہ کہتے ہیں کہ دفعہ ۳۷ ایسا نہیں ہے جس پر سے گزر کر کشمیر ہند کے ساتھ پوری طور مدغم کیا جاسکتا ہے۔

ہند کے حاکموں اور لیڈروں نے تیس سال الفاظ کے گورکھ دھندے میں الجھ کر ایشیائی کے وعدہ کو پس پشت ڈال کر وقت کو ٹالا۔ بیرونی باری کا فیصلہ دس بارہ سال ہوئے ہو گیا تھا مگر اس فیصلہ پر عمل درآمد اب تک نہیں ہو سکا۔ کیوں؟ وہ ہم سب کو ملامت ہے۔

اس کنونشن میں ایک دو مندوبین کا خیال ہے کہ نمائندہ اسمبلی بنا کر الحاق کا فیصلہ لیا جائے۔ میں سمجھتا ہوں کہ ایسے مسئلے کے لئے جس پر ہماری آنے والی نسلوں کی حیات و ممات کا دار و مدار ہو کیسے نمائندہ اسمبلی کر سکتی ہے۔ مندوبین حضرات دیکھ چکے ہیں کہ ہمارے نام و نہاد اسمبلی جمروں نے اپنے ذاتی مفادات کے لئے پیترے بدلے چند سو روپیہ یا مراعات کے لئے وہ اپنے لیڈروں سے بھی وفاق نہ کر سکے۔ وہ ایک ایک لاکھ روپیہ فی کس لے کر غداری کے ترکب نہ ہونگے کیا؟ اور ملک زیادہ قیمت ادا کرنے والی ملکیت کے نام لکھ دیں گے۔ لہذا چننے ہوئے نمائندوں سے ایسا نازک مسئلہ فیصلہ کرنا کشمیری عوام کے ساتھ مذاق اور بے انصافی ہوگی۔

لانے میں کون سی ادک ہوگی۔ اب کوئی عقل کا اندھا ہی پاکستان اور وہاں کے لوگوں سے لگاٹے گا۔ جہاں ہمیں شری مدھوک جی بھجوانے کا ارادہ رکھتے ہیں۔ کیوں نہ اپنی مہم بھوئی کے سمیت پہلے ہی پاکستان کے ہو جائیں۔ عقل مند فیصلہ یہی ہو سکتا ہے جس سے مدھوک جی بھی خوش اور کشمیری بھی خوش ہوں گے۔ تیس سالہ ہندی حکومت کے دور میں کشمیری مسلمان کے لئے نسرٹل آفسروں داخلہ کے دروازے بند رہے۔ یہ تو ابتدائے عشق ہے آگے جا کر پورے الحاق کی صورت میں کیا ہوگا؟ اس کا اندازہ ایک ناخواندہ آدمی بھی کر سکتا ہے۔

شری پریم ناتھ بڑاڑنے جو اس کنونشن کے روح رواں ہیں اور کہہ مہم شری سیاتان بھی ہیں اپنی کتاب "کشمیر میں تحریک آزادی کی تاریخ" (HISTORY OF STRUGGLE FOR FREEDOM IN KASHMIR) میں ایک باب لکھتے ہیں جس کا عنوان "کیا ہندوستان فرزند ہی ملک ہے؟" (IS INDIA SECULAR STATE) باندھ ہے اور خود ہی حقائق کی روشنی میں ثابت کیا ہے کہ ہندوستان سیکولر نہیں بلکہ اتنا ہی مذہبی ملک ہے جتنا کہ پاکستان۔ اب اگر ہمارے فیصلہ سے فرزند ہی طاقتیں مضبوط بنانا مطلوب ہیں مجھے بتایا جائے کہ وہ طاقتیں کہاں ہیں؟ ہند میں شری گولیا انکر اور شری مدھوک جی بھی اپنے کو سیکولر ہی کہتے ہیں۔ وہ بھی اتنے ہی سیکولر ہیں جتنے کہ دوسرے، پھر فرق کہاں ٹھہرا؟

جہاں تک رہبر کیٹی کے ڈاکومنٹ "سی" یعنی آئین کے خدو خال کا تعلق ہے۔ تو یہ خواب رہبر کیٹی نے دیکھا اس کی تعمیر تب ہی ممکن ہو سکتی ہے جب دونوں ملکیتیں تسلیم کریں کہ ہمیں آزاد رہنے کی اجازت دیں گے اور اس تجویز کو تسلیم کریں۔ ہند نے خود ہی وعدہ کیا کہ کشمیر کا الحاق عارضی ہے اور رایشیاری کر کے ہی اس کو تسلیم کیا جائے گا۔

ہیں۔ ورنہ اندیشہ ہے کہ کہیں آزادی کے دلدادہ نو جوان کیونٹ بن کر دونوں مملکتوں کے لئے سوہان روح نہ بنیں۔

میری ناچیز رائے میں اس کنونشن کی حیثیت کوئی نمائندہ بھی نہیں۔ کیونکہ اس کنونشن میں آزاد کشمیر سے مدعو کئے گئے مندوبین کو یہاں آنے کی اجازت نہیں ملی۔ دوام لداخ اور کرگل کے نمائندے بھی اس میں شامل نہیں اور مزید برآں مندوبین حضرات جو رائے ظاہر کرتے ہیں یا تجاویز رکھتے ہیں وہ ان کی انفرادی رائے ہے۔ ورنہ اگر شرکت کرنے والے مندوبین اپنی جماعتوں جن کے ساتھ ان کا تعلق ہے، کی طرف سے بولتے تو وہ اپنی جماعتوں کی مجلسِ عالمہ سے ان تجاویز کی جو وہ یہاں پیش کر رہے ہیں منظوری لے لیتے۔ والسلام

احقر العباد

بہر زار علی شاہ

محلہ زیندار صاحب سرینگر

گذشتہ سال نچایت کے انتخابات ہوئے۔ تب سے میں اپنے رائٹیری کے موقف کا زیادہ تشدد ہو گیا ہوں۔ اگر نچایتی انتخابات کی طرح اس عظیم مسئلہ کا حل کیا گیا۔ نتیجہ ظاہر ہے کہ جو حکومت چاہے گی وہی ہو کر رہے گا۔

میری رائے میں منصفانہ، جمہوری، قابلِ عمل اور حقیقت پسندانہ حل اگر اس مسئلہ کا کچھ ہو سکتا ہے وہ صرف ایک حل ہے ”رائے شماری“ جس کے کرانے کے لئے میں آسان اور قابلِ عمل طریقے پہلے PAPER میں بتا چکا ہوں جن کو قبول کرنے میں نہ ہی ہندوستان کو اور نہ ہی پاکستان کو اور نہ ہی سیکورٹی کونسل یا اقوام متحدہ کو کوئی عذر ہو سکتا ہے۔ اس وقت تک ہندوستان کہتا رہے کہ اس مسئلے میں بڑی طاقتوں کو ٹانگ اڑانے کی اجازت نہ ہونی چاہیے۔ اس لئے میں نے تجویز رکھی تھی کہ غیر جانبدار ممالک کی نگرانی میں رائٹیری کرائی جائے جو ہندوستان کے زیادہ دوست ہیں اور پاکستان کے کم۔

رائٹیری سے ہی نیو گنی کا تنازعہ آسٹریلیا اور انڈونیشیا کے درمیان حل ہوا۔ اب ”بحرین“ کا مسئلہ انگریزوں اور ایرانیوں کے درمیان بحرین کے لوگوں کی رائے کو جھکر حل کیا جائے گا۔ انڈونیشیا اور ملائیشیا میں بھی سراوک شمالی بورنیو برونی کا مسئلہ رائٹیری سے اگر حل ہو سکتا ہے تو کشمیر نے کیا خطا کی ہے کہ اس طرح اس کا مسئلہ حل نہ ہو؟

حضرات! اگر کشمیر کے مسئلہ کے حل کے لئے اور متبادل تجاویز رکھی جائیں تو انہیں پیدل ہوں گی۔ تینوں فریقوں کو وہ قابلِ قبول نہ ہوں گی۔ اس لئے کیوں نہ مانے ہوئے فیصلہ کو ردِ عمل لانے کے لئے مشترکہ جدوجہد کریں جس میں اُنے بھائیوں سے یا دوستوں سے امداد حاصل کی جائے جو اس موقف کے حامی

زراعت کی جو ترقی اور عدل و انصاف کی جو حکومت کشمیر کو نصیب ہوئی، اکبر اور جہانگیر کے وقت میں بھی لوگوں کو نصیب نہیں تھی۔ علم و ادب کی ترقی نے بھی گذشتہ عام ریکارڈزات کے کشمیر میں کشمیری خاندان کے..... بدچک خاندان نے خود مختار حکومت کرنی۔ بدقسمتی کے اس دور میں مذہبی تعصب اور تنگ نظری کی بنا پر دہلی کے محل بادشاہوں کے ساتھ سازش کی گئی۔ آخر کار ۱۵۸۵ء میں مشہور محل بادشاہ جلال الدین اکبر نے کشمیر کو ہندوستان کی سلطنت میں شامل کر کے اسے ہندوستان کا ایک صوبہ بنالیا۔ اکبر کی طرف سے پہلا صوبیدار کشمیر قاسم جان میر مجر تھا۔ اس کے بعد اعتقاد خان اور دوسرے صوبیداروں کے عہد میں کشمیریوں کی فوجی پیرط کچلنے کی منظم کوشش کی گئی۔ اہل کشمیر رپوں اور فوجی ملازمت کے دوازے بند کئے گئے جاگیریں اور منصب محل سرداروں اور چند غدار کشمیریوں کے لئے مخصوص ہو گئے۔ زمین داروں پر طرح طرح کے ٹیکس لگائے گئے۔ البتہ بعد میں شاہجہاں اور تانگ زیب اور فرخ سیر کے زمانے میں کشمیریوں نے حقوڑا بہت گھٹا کا سانس لیا۔ مغلیہ دور کے بعد کشمیر میں افغانوں نے ۱۵۸۵ء سے ۱۵۹۹ء تک حکومت کی۔ اس کے بعد ۱۸۴۱ء سے ۱۸۴۵ء تک سکھوں نے راج کیا۔ اس دور میں کشمیری عوام پر ظلم و ستم ڈھایا گیا۔ وہ لوٹ کھسوٹ کے شکار ہوئے۔ ملک میں فوجی حکومت قائم رہی۔ کشمیر کی حیثیت ایک نوآبادی کی تھی۔ پہلے کابل سے پھر لاہور سے حکومت رہی۔ دونوں حکومتوں کا مقصد کشمیر کو بوٹنا اور روپیہ حاصل کرنا تھا۔ اس کے بعد جب سکھوں نے انگریزوں سے شکست کھائی تو ۱۸۴۵ء میں معاہدہ انرٹر کے رو سے گلاب سنگھ ڈوگر نے ۵ لاکھ روپے سکھوں کو دے کر کشمیر کی ریاست حاصل کرنی۔ انھوں نے یہ رقم بے کشمیر کو فروخت کر کے انگریزوں کو تادان جنگ کی رقم پوری کر دی اور ڈوگر حکمرانوں نے کشمیر پر برابر ایک صدی

جوں و کشمیر اسٹیٹ ہوبیز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب غلام محمد کو صاحب کی طرف سے موصول ہوئی ہے۔

”ایک قوم پر دو چیزوں کا گہرا اثر پڑتا ہے۔ ایک اس کی اندرونی حالت اور دوسرے بیرونی اثرات۔ اندرونی حالت پر ایک سرسری نظر اُٹھنے کے طور سے واضح ہو جاتی ہے۔ معاشرے پر ایک خاص اثر اس بات کا ہوتا ہے کہ دوسروں کے ساتھ اس کے کیا تعلقات ہیں اور یہ تعلقات کس حد تک باہمی رواداری و مفاہمت اور سنجیدہ روی پر قائم ہیں۔ زیادہ اہم بات یہ ہے کہ قوم پر ملکی تاریخی کا کیا اثر پڑا ہے اور اس کی انفرادیت اور سالمیت پر کیا خوشگوار یا ناخوشگوار اثرات اُپڑے ہیں۔ اسے ہم اپنی قوم کا تحب زیب اس پس منظر میں کریں گے۔

ہماری بدقسمت ریاست کو اگرچہ ہندو دور کے بعد مسلمان حکمرانوں نے صرف کم و بیش ایک صدی تک آزادانہ طور حکومت کرنی۔ مگر اسی حقوڑے وقت میں ایسے قابل تقلید کارنامے کئے جو کہ تاریخ کشمیر میں سنہری حروف سے یادگار ہیں گے سلطان زین العابدین کے عہد میں رفاہ عام کے جو کارنامے، اصلاحات کے جو اقدامات،

ہوتا مسئلے کا دائمی حل ناممکن ہے۔ اس لحاظ سے رائیٹاری کا نعرہ بالکل صحیح اور درست ہے اور ہمارے ۱۹۴۷ء سے ۱۹۴۸ء کے نعرہ "حق خود ارادیت" سے بالکل مطابقت رکھتا ہے۔

اس وقت ہماری ریاست کے ایک حصہ پر ہندوستان اور دوسرے حصہ پر پاکستان توپ و تفتک سے لیس ایک دوسرے سے برسرِ پیکار ہیں۔ آئے دن جنگ بندی کی خلاف ورزیاں ہوتی رہتی ہیں۔ پورے کشمیر کو اپنی اپنی گرفت میں لانے کا مسئلہ اب دونوں حکومتوں کے وقار اور عزت کا سوال بن گیا ہے۔ اس لئے کشمیر کو پاکستان یا ہندوستان کے ساتھ الحاق کا فیصلہ کرنا اور اس پر قائم رہنا مشکل ہی نہیں بلکہ ناممکن ہے۔ اگرچہ بائیس سال سے کشمیر کا مسئلہ بغیر کسی حل کے ٹکٹا رہا۔ مگر اس سے بھی ہماری آنکھیں کھل گئیں اور دماغوں میں دائمی حل کے لئے مواد پیدا ہوئے۔ پاکستان میں پہلے تمام سبزی پاکستان مختلف یونٹوں میں تقسیم تھا اور اس کے بعد ایک یونٹ بنایا گیا۔ اب وہ ایک یونٹ بھی ختم ہو رہا ہے۔ ہندوستان کی مختلف ریاستوں میں بھی صوبائی تقسیم کی مانگ زوروں پر ہے۔ اس لئے ریاست جوں و کشمیر کو ۱۹۴۷ء کی حد بندی کے مطابق ایک آزاد اسٹیٹ بنایا جانا ہی مسئلہ کشمیر کا واحد حل ہے اور ہندوستان اور پاکستان کے ساتھ مساویانہ طور پر تجارتی تعلقات قائم کر کے سرحدات کی حفاظت کی ضمانت بھی دونوں ممالک سے قائم کی جانی چاہیے۔ جس طرح انگلینڈ، برائیسوں وغیرہ ممالک اپنی تمام ضروریات خود پورے کر سکتے ہیں اور دیگر ممالک سے امداد حاصل کر کے ملک کی ضروریات پورے کرتے ہیں۔ اسی طرح ہم بھی ملک کے تمام وسائل کو بروئے کار لا کر باقی ضروریات پوری کر سکتے ہیں۔ اس طرح ہندوستان و پاکستان کے باہمی تناؤ اور کشمکش کا کبھی بہت حد تک سدباب ہو سکتا ہے۔

ملک حکومت کرنی۔

ڈوگرہ حکمران ہمارا جہری منگھ کے عہد حکومت میں ۱۹۴۷ء میں کشمیریوں نے صدیوں کی غلامی کے بعد تحریک آزادی کا علم باقاعدہ طور پر جناب شیر کشمیر کی قیادت میں بلند کیا۔ ۱۹۴۷ء کے بے نظیر جدوجہد نے ذمہ دار نظام حکومت کے نعرے کو جنم دیا۔ سال ہا سال یہ نعرہ فضا میں گونجتا رہا۔ ۱۹۴۷ء میں مسلم کانفرنس کے لیڈروں نے دیگر جمہوریت پرست عناصر سے مل کر ایک سیاسی منشور تیار کیا جس میں مختصراً بتایا گیا کہ ہمارے سامنے ذمہ دار حکومت کی بنیاد کن کن اصولوں پر رکھی جائے گی۔ اس منشور پر مسلم کانفرنسی رہنماؤں کے علاوہ ریاست کے غیر مسلم رہنماؤں نے بھی دستخط کئے اور اس کے ساتھ ہی مسلم کانفرنس کی جگہ نیشنل کانفرنس نے لی۔ ۱۹۴۷ء میں برطانوی سامراج کے خاتمے پر اگرچہ ہندوستان کی باقی ریاستوں کی تقسیم۔ عمل میں لائی گئی، مگر ہماری ریاست کی قسمت میں مشکلات کے طوفان ایک نئی صورت میں ابھرا۔ برصغیر کی تقسیم کے بعد انگوڑوں نے ہندوستانی ریاستوں کے حکمرانوں کو یہ حق دینا چاہا کہ وہ ہندیا پاکستان کی دو ڈومینیوں میں کسی ایک کے ساتھ الحاق کا فیصلہ کر لیں یا آزاد رہنا چاہیں۔ مسلم لیگ نے اس موقف کی تائید کی مگر کانگریس نے اس کی مخالفت کی۔ اور صاف الفاظ میں اعلان کیا کہ یہ حق ریاستی عوام کو حاصل ہونا چاہیے حکمرانوں کو نہیں۔ کانگریس کا یہ موقف ریاستی عوام کی خواہشات کے عین مطابق تھا۔ مگر اقتدار حاصل کرنے کے بعد کانگریس اپنے اس موقف پر ثابت قدم نہیں رہی۔ ہماری ریاست ہندوستان اور پاکستان کے جنگ اور کشمکش کا شکار ہوئی اور جبراً تقسیم ہوئی۔ آج ریاست جوں و کشمیر ایک ایسے سرچلے پر آ پہنچی ہے۔ اس میں کوئی شک و شبہ کی گنجائش نہیں کہ ریاست کے مستقبل کا فیصلہ یہاں کے عوام ہی کر سکتے ہیں۔ جب تک ایسا نہیں

لئے میں اپنی جان کی بازی لگا سکتا ہوں۔ یہ اطمینان کی بات ہے کہ یہاں جمع شدہ مختلف آرائے حضرات کے مابین عہد جدید کا ایک والیٹر بھی موجود ہے۔

پچھلی بار جو مقالہ میں نے یہاں پیش کیا تھا اتفاقاً نئے وقت کے بموجب میں اس کا ایک مختصر حصہ دوبارہ آپ کو منانے کی جسارت کر رہا ہوں۔ میں نے اس وقت عرض کیا تھا۔ ”اپنے سیاسی موقف کو تقویت دینے کی غرض سے یہاں کی اصلاحی پسند جماعتیں یہ بھی کہتی ہیں کہ کشمیر میں نامزدہ حکومت قائم نہیں ہے۔ یہ صحیح ہے۔ لیکن انھیں چاہیے کہ بجائے اس نکتہ کے وہ بھی میدان میں آجائیں اور ایک عوامی حکومت کی تشکیل میں اپنا فرض پورا کریں۔ انتخابات سے بھاگنا کوئی بڑی بات نہیں لیکن انتخابات میں شامل ہونا ایک بڑی بات ہے اور یہ بات جب ہی حاصل کی جاسکتی ہے کہ شیخ صاحب ہندوستانی جمہوریت میں اپنا کھویا ہوا اعتبار از سر نو زندہ کر کے انتخابات میں حصہ لیں اور دوسری طرف سے ہندوستان بھی ہر کشمیری کو پاکستانی ایکٹ نہیں بلکہ ایک ہندوستانی شہری سمجھ کر اسے آزادی کے ساتھ ووٹ دینے کے بنیادی حق سے محروم کرنے کا جرم نہ دہرائے۔

اگر اب بھی ہندوستان ہمیں اس بات کا علی ثبوت یہم نہ کر سکے کہ ہمیں وہی حقوق اور آئینی مراعات حاصل ہیں جو دہلی، مدراس یا بمبئی میں رہنے والے ہر بھارتی کو حاصل ہیں۔ اگر ہندوستان اب بھی ہمیں اس بات کی ضمانت نہ دے کہ ہم مذہب و ملت کے فرق کے بغیر آزاد شہریوں کا درجہ رکھتے ہیں تو ہمیں ہندوستان کی کوئی ضرورت نہیں۔ لیکن اس کے برعکس یہ معنی نہیں کہ ہم ہندوستان سے ناراض ہو کر پاکستان کی طرف بھاگیں۔ ہمیں فرق پرست، انتہا پسند اور تنگ نظر ہندوستان سے بڑھنا ہو گا اور ہم اس ہندوستان کو گلے لگائیں گے جس کے تصور کی آبیاری مہاتما گاندھی

دستاویز ۲۹

جموں و کشمیر میٹ پیوپلز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب غلام نبی خیال صاحب کی طرف سے موصول ہوئی ہے

”جناب صدر اور مندوبین حضرات!

قبل اس کے کہ میں اختصار کے ساتھ اپنے خیالات کا اظہار کروں میں سب سے پہلے کنونشن کے صدر جناب شیخ محمد عبداللہ کا شکریہ ادا کرتے ہوئے یہیں رہ سکتا جنھوں نے گذشتہ نشست میں جبکہ میرے مقالے کے دوران کچھ اجاب نے یہاں پر برہنہ کا اظہار کیا تھا، جمہور نوازی اور آزادی خیالی کے اصولوں پر اتفاق کا ایک بار پھر علی مظاہرہ کیا۔ شیخ صاحب نے ایسا کر کے میرے لئے نہ صرف ایمان داری اور بے باکی کے ساتھ اظہار خیال کا حق محفوظ رکھا بلکہ اس طرح انھوں نے کنونشن کے اس خصوصی کردار کو بھی داغدار ہونے سے بچایا جس کے مطابق اس پلیٹ فارم پر کھڑے ہونے والے ہر کشمیری کو اپنے محسوسات بیان کرنے کی مکمل آزادی حاصل ہے۔ والیٹر نے ایک بار کہا تھا ”کسی شخص کی بات سے خواہ مخہ مد فیصلہ اختلاف کیوں نہ ہو لیکن وہی بات بیان کرنے کا جو حق اسے حاصل ہے اس کے تحفظ کے

کہ انہی تینوں اکائیوں کے مجموعہ کا نام ریاست جموں و کشمیر پڑ گیا ہے۔ اندرون نے خود مختاری کا قیام کرتے وقت ہمیں لازمی طور پر ان صوبوں میں رہنے والے باشندوں خاص کر کشمیری مسلمانوں کی علاقائی، لسانی، سماجی اور معاشرتی روایات اور خواہشات کا بوجھ اترام کرنا پڑا۔ اس کے مطابق اندرون نے خود مختار ریاست کے نقشہ میں کشمیر جموں اور لدراخ کو سرکار انتظامیہ اور عدلیہ اور دیگر کئی میدانوں میں تناسب کے لحاظ سے جائز نمائندگی دینے کا اقدام اولین بات ہے جس کے ذریعہ انھیں انفرادی طور پر ایک FEDERAL SET UP کا درجہ حاصل ہو سکتا ہے۔ آئین ہند کی دفعہ ۳ کے تحت اگرچہ ریاست کو ایک خصوصی درجہ پہلے ہی حاصل ہے۔ لیکن واقعات نے ثابت کر دکھایا ہے کہ خاص طور سے ۱۹۵۲ء کے بعد اس درجہ کا دائرہ دن بدن محدود ہوتا گیا ہے اور اگر یہی رفتار رہی تو یہ دائرہ آگے چل کر ایک محدود نقطے کی شکل اختیار کرے گا۔ اس صورت حال کو روکنے اور AUTONOMY کو حقیقی الاکان حد تک بڑھانے اور برقرار رکھنے اور اس سے قانون اور آئینی استفادہ کرنے کی اس وقت اہل کشمیر کو سب سے زیادہ ضرورت ہے۔

گزشتہ بیس سال کے دوران بدلتے ہوئے حالات کے زیر نظر کشمیری مسلمانوں کو موجودہ سیاسی صورت حال کے جذباتی طور پر تباہ کرنے میں پیہم دشواریاں پیش آتی رہی ہیں۔ اس ذہنی کشمکش اور محسوساتی تضاد کا تجزیہ کیا جائے تو ہمیں صاف نظر آتا ہے کہ اس خلیج کو اوپر کھینچا دینے میں ملک میں پے درپے ہونے والے فساد دارانہ فسادات بہت حد تک ذمہ دار ہیں۔ انتہائی افسوس اور حیرانی کا مقام ہے کہ آزادی کے تیس سال گزر جانے کے باوجود ملک میں اب بھی ایسے عناصر اس خطرناک کھیل میں مصروف ہیں جس کے نتیجے کے طور پر ہندوستان میں رہنے والے ہر قوم پرست

اور مولانا آزاد نے کی ہے اور جو ان ہزاروں لاکھوں شہیدوں کے مزار پر تعمیر ہوا ہے جن میں مسلمان، ہندو، سکھ، عیسائی، سبھی شامل تھے۔

آج جب یہ امر ایک تاریخی فیصلہ کی شکل میں ہمارے سامنے آچکا ہے کہ ریاست کی سب سے بڑی مخالف جماعت محاذ رائیٹاری آئندہ انتخابات میں حصہ لے رہی ہے تو میرے نزدیک رقرار زمانہ کی سمت میں یہ ایک ایسا صحت مند قدم ہے جو بروں سے حرکت پذیر ہونے کا انتظار کر رہا تھا۔ شک ہے کہ ہندوستانی آئین کے تحت ہونے والے ان انتخابات میں شمولیت کرنے والے کسی بھی صاف ذہن اور زمانہ ساز کشمیری کو اب غدار اور قوم دشمن کے خطابات سے نوازا نہیں جا رہا ہے۔

قصہ کشمیر کے ممکن العمل حل کے بارے میں مجھے از سر نو کچھ کہنے کی یہاں ضرورت محسوس نہیں ہوتی۔ کیونکہ میں اس سلسلے میں اپنی رائے پہلے ہی ظاہر کر چکا ہوں۔ البتہ کشمیش کی سٹریٹجک کیٹیگوری نے کافی بحث و تمحیص اور بے انتہا جانفشانی کے بعد جو "GUIDE" "INCE" ہمارے لئے تیار کی ہیں ان میں سے ہر اس پہلو پر توضیح و تشریح کی یہاں گنجائش موجود ہے جس کے ساتھ ہمارا ذہن مطابقت رکھتا ہو۔

کیٹیگوری کی طرف سے پیش کردہ دستاویز "بی" کے مدب "کو پیش نظر رکھتے ہوئے ہندوؤں کے اندر ریاست کی اندرون خود مختاری کے سوال کو نقطہ ارتکاز بنائے جانے کے بعد یہ سوچا جاسکتا ہے کہ اس خود مختاری کی نوعیت اور حیثیت کیا ہو سکتی ہے؟ ہماری ریاست کچھ ایسی تین اکائیوں، یعنی کشمیر جموں اور لدراخ پر مشتمل ہے، جن کے درمیان بدقسمتی سے کوئی قدر مشترک پائی نہیں جاتی۔ ان تینوں یونٹوں کی تاریخ، تمدن، تہذیب اور معاشرت کے پیش نظر یہ کہنا شاید غیر مناسب نہیں ہوگا کہ یہ رشتہ ایک حادثاتی رشتے کا درجہ رکھتا ہے۔ بہر حال اس حقیقت کو اب رو نہیں کیا جاسکتا

صادر کرنے سے پہلے ضرورت اس بات کی ہے کہ ان کے لئے اپنے ہم وطنوں سے ملنے کا راستہ ڈھونڈ لکالا جائے۔ دکھ کی بات ہے کہ ہندوستان نے اس کنونشن میں شامل ہونے کے لئے وہاں سے کسی نمائندے کو یہاں آنے کی اجازت نہیں دی ہے۔

بعورت دیگر ہم سب کو یہ جاننے کا زہن موقوم حاصل ہو جاتا کہ گذشتہ دو دہائیوں کے تجربہ کے مد نظر وہ لوگ اپنے سیاسی مستقبل کے بارے میں کس نتیجہ پر پہنچے ہیں۔ اور مجھے یقین ہے کہ ان کی رائے منظر عام پر آنے کے بعد ہندوستان کو کوئی پریشانی دامن گیر نہیں ہو جاتی۔ لیکن دقتی میں بیٹھنے والے چند حضرات کا خیال ہے کہ فضاؤں میں پھیلی ہوئی تاریکی میں ایک چراغ جلا کر یہ کہنا کہ اب ہر طرف نور ہی نور ہے، سارے لوگوں کی توجہ اندھیرے سے ہٹا سکتا ہے۔ حالانکہ یہ خیال غلط ہے اور اسی قسم کی غلطیاں بار بار دہرائے جانے کا یہ خیمازہ ہے کہ ہم آج بھی مسئلہ کشمیر کو زیر بحث لانے پر مجبور ہیں اور یہ تنازعہ ابھی تک سلامتی کونسل کے ایجنڈا پر درج ہے۔

ہندوستان اور پاکستان دونوں نے سرنگر لاؤنڈری روڈ کو دوبارہ عارضی طور پر کھولنے کی طرف ذرہ بھر بھی توجہ نہیں دی ہے۔ اب یہ کشمیریوں کے لئے ایک انسانی مسئلہ بن گیا ہے کہ وہ اس شاہراہ کو دوبارہ کھولنے کی غرض سے ایک ہمر گیر ہم شروع کریں۔ ہمارے لیڈر حضرات یوں تو کبھی کبھی اور صوبہ متنا دہی زبان میں اس بات کی طرف اشارہ تو کرتے ہیں۔ لیکن اگر واقعی انھیں کشمیر کے اُن ہزاروں لوگوں کے جذبات اور مصائب سے سچی ہمدردی ہے۔ جو سال ہا سال سے ناکرہ گناہوں کی سزا ایک دوسرے سے جدائی کی صورت میں برت رہے ہیں تو "لانگ بو" اور "اٹوٹ انگ" کی نوہ بازی سے تھوڑی دیر بٹ کر ان کی

اور سیکورائڈزوں کے مالک شہری کی گردن شرم سے جھبک جاتی ہے۔ ہند میں پھیلے ہوئے اس مرض کے علاج کی غرض سے میں پھر اپنے گذشتہ مضمون میں سے اپنی تجویز پیش کروں گا جس میں میں نے کہا تھا کہ — "میں اس دو باکوردہ کرنا ہو گا۔ ایسا صرف کوئی گاندھی یا نہرو ہی کر سکتا تھا۔ لیکن ہمیں مسرت ہے کہ ہم میں آج بھی عبداللہ کے روپ میں گاندھی جی کا ایک بہت بڑا پیر کار موجود ہے۔ یہ جرات مندانہ قدم اٹھا کر ملک و قوم کو اس ذلت سے صرف شیخ صاحب ہی بچا سکتے ہیں جن کی طرف نہ صرف جموں کشمیر بلکہ ہندو پاک کے کروڑوں انسانوں کی نظریں لگی ہوئی ہیں۔ یہ مقصد کبھی راہ فرار اختیار کرنے سے نہیں بلکہ راہ عمل کی پُر غار وادیوں سے گزر کر ہی حاصل کیا جاسکتا ہے۔"

خدائی خدمتگار تنظیم کو کشمیر میں بھی تشکیل دینے کا جو تحسن اقدام حال ہی میں شیخ صاحب نے اٹھایا ہے۔ اس کی ہمیں دل و جان سے حمایت اور تائید کرنی چاہیئے۔ اس تنظیم کے یہاں مقاصد واضح کرنے کی ضرورت نہیں۔ لیکن مجموعی طور پر اس کی مقایا نشوونما کی بدولت ہند اور کشمیر کے رہنے والوں کے درمیان دلی برادری کے رشتے کو اور بھی مضبوط بنانے میں بڑی مدد مل سکتی ہے۔ مقایا طور پر اگرچہ کچھ افراد اس تنظیم کی مخالفت کرتے بھی نظر آئے ہیں مگر ہمیں یہ دکھینا ہے کہ ان کا اصل مقصد کیا ہے؟ مجھے ذاتی طور پر بجز اس کے اور کچھ نظر نہیں آتا کہ وہ اس کی مخالفت کے پس پردہ اپنے سیاسی اغراض کی تکمیل کے راستے سے تمام رکاوٹیں دور کریں تاکہ شیخ صاحب کی ہمر گیر اور باثر شخصیت کو محض نوہ بازی کی چادر یواری میں مجبوس کر کے وہ اپنے لئے اقتدار اور آرام دہ مستقبل کی تعمیر کرتے رہیں۔

آزاد کشمیر میں رہنے والے کشمیریوں کے بارے میں مقایا طور پر کسی قسم کا فیصلہ

اس کنونشن کے گذشتہ اجلاس میں جو تجاویز مختلف حضرات نے پیش کی تھیں۔ ان میں سے کس ایک پر فراخ دلی اور دیانتداری کے ساتھ اور جذبات پرستی کے بغیر اپنی تمام تر توجہ مرکوز کر کے ہی کنونشن کا صحیح مقصد حاصل کیا جاسکتا ہے۔ یہ تجویز صرف ایسی ہو سکتی ہے جو گذشتہ بیس کچیس برس کے دوران برصغیر میں رونما ہونے والے تمام تر واقعات اور تجربات اور موجودہ حقائق کی آئینہ دار ہو۔ ورنہ اندیشہ ہے کہ یہ سلسلہ غیر میں عرصہ کے لئے جاری رہے اور خدا نخواستہ اس دوران میں ہماری پریشانیوں اور ذہنی تذبذب میں اضافے ہی کا خدشہ لاحق ہو سکتا ہے۔ اس میں کمی ہونے کا سوال ہی پیدا نہیں ہوتا۔ شکریہ!

غلام نبی خیال سرنگر

اور پھر لوگوں کی تحریک اس راستے کو فوری طور پر کھولنے کے اہم ترین سوال کی طرف توجہ دینے کے ساتھ مرکوز ہونی چاہیئے۔ یہ راستہ کھولے جانے کے اگرچہ تو ایام امکانات نظر نہیں آ رہے ہیں، لیکن اگر واقعی کشمیر کے لوگ اس دیوار کو گرا دینے کے خواہاں ہیں تو وہ اپنی ہم آہنگ آواز اور صدائے اتفاق کے ہتھیار سے یس ہو کر ایسا کروا سکتے ہیں۔ اس طرح سے وہ بے شمار سینہ چاکان اپنے ہم وطن سینہ چاکوں سے نسل گیر ہونے کی تمنا پوری کر سکتے ہیں جن کی آرزوؤں کا خون کر کے ہندوستان پاکستان اور کشمیر کے لیڈروں نے اپنی مفاد پرستی اور ذاتی غرض مندی کے ایوانوں پر رنگ دروغ سے چڑھایا ہے۔ جہلم دیلی اور ڈکوئیر مینہ طور پر بند رکھے جانے کا کوئی منہی اثر ہمارے ان بزرگوں پر نہیں ہوا ہے۔ بلکہ اس بے انصافی کے شکار جنگ بندی سرحد کے اس پار اور اس پار رہنے والے لاکھوں کشمیری مظلوموں پر ہوئے ہیں جو آج قیوم ہند کو اس لئے کوستے ہیں کہ تقسیم ایک ملک کی نہیں بلکہ ان کی حیات اور آرزوئے حیات کی تقسیم ثابت ہوئی ہے۔ ہماری پیہم خاموشی آخر کار سیاسی شاطلوں کو وہی موقع دے گی جس کی ہمارے سال ہا سال سے لگے ہیں یعنی کشمیر کی جنگ بندی سرحد کو بین الاقوامی حد متارکہ تسلیم کر کے ہندوستان اور پاکستان دونوں چین کا سانس لیں گے اور اس غیر انسانی فعل کے نتیجے کے طور پر کشمیر کے رہنے والے عمر بھر کے لئے ایک دوسرے سے جدا ہو کر رہ جائیں گے۔ اس کے بعد اس درد کا کوئی درماں ممکن نہیں۔ کیونکہ جرمی اور ویت نام اور کوریا کا ہر تباہی خیز ہمارے سامنے ہے۔ یہاں سے اٹھنے والی صدائے بازگشت آزاد کشمیر میں فرو گونجے گی اور وہاں رہنے والے تیرہ لاکھ کشمیری بھی اپنے وطن کے ساتھ یک جا ہونے کی تحریک میں کسی قسم کی کوتاہی نہیں کریں گے۔ بشرطیکہ پہل ہماری طرف سے ہو۔

را قسطنطنیہ کے تصفیہ کے لئے ہندوستان، پاکستان اور کشمیر کی ایک کنفیڈریشن قائم کی جائے۔ چونکہ کنفیڈریشن برابر درجہ ملکوں میں قائم کی جاتی ہے۔ اس لئے ریاست کو مکمل آزادی دی جائے۔

۱۲۔ اگر یہ کنفیڈریشن قائم کرنے میں کوئی رکاوٹ ہو تو اس کے متبادل قرار تجویز پر غور کیا جائے:

۱۹۔ ہندوستان، پاکستان اور کشمیر کے نمائندے گول میز کانفرنس کے انعقاد سے حسب ذیل امورات پر ٹھنڈے دل سے غور کریں کہ دونوں ملک کشمیر کی اندرونی آزادی کو تسلیم کریں۔ دونوں ملک باشندگان ریاست کو کھلے طور پر ایک دوسرے کے علاقے میں آنے جانے کی اجازت دے دیں۔

دونوں ملک کشمیر کی سالمیت کی حفاظت کی ذمہ داری مشترکہ طور قبول کریں۔ ان تجاویز کو رد نہیں لانے سے برصغیر ہندو پاک کے کروڑوں باشندے امن و اطمینان کا سانس لے سکیں گے اور دونوں ملکوں میں کھجائی چارہ قائم ہو جائے گا۔ آج تک کی تمام تلخیاں ختم ہو کر ایک نئے امن و محبت کا آفتاب طلوع ہو گا۔

یہ مختصری تجویز تمام مقالات کو مد نظر رکھ کر راقم نے مرتب کی ہے جو پیش خدمت ہے۔ اگر یہ تجویز زیر غور لائی گئی تو مختلف علاقوں کے باشندگان کے حقوق اور اعتماد پر کبھی غور کیا جاسکتا ہے۔

غلام رسول کاؤسہ
سرنگر

جوں و کشمیر اسٹیٹ پیوپلز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب غلام رسول صاحب کاؤسہ کی طرف سے موصول ہوئی ہے۔

”محترم صاحب صدر و ڈپٹی گیٹ حضرات!

آں جوں و کشمیر اسٹیٹ پیوپلز کنونشن کے گذشتہ اجلاس میں ریاست کے مختلف اطراف سے آئے ہوئے مندوبین نے باوجود مختلف سیاسی نظریات کے آزادانہ طور اظہار خیال کیا۔ اطمینان و سکون کے ساتھ مقالے پڑھے گئے۔ ان تمام مقالات کو بغور جائزہ لے کر یہ بات واضح طور سامنے آ جاتی ہے کہ تمام نمائندگان کے خیالات اگرچہ ایک دوسرے کے خیالات سے مطابقت نہیں رکھتے تاہم جن پر سب کا اتفاق رہا وہ امورات یہ ہیں:

را قسطنطنیہ کنفیڈریشن طلب ہے ۱۲۔ ریاست کی وحدت و سالمیت کی برقراری را نمائندہ حکومت کا قیام ۱۳۔ تمام اضلاع کے باشندگان کو اعتماد میں لینا۔ لہذا ان متفقہ امورات کو مد نظر رکھ کر میری رائے میں حسب ذیل تجویز ریاست کی بہبود کے لئے نہایت مفید و معتدل اور مناسب ہوگی:

ہر کوئی حربہ استعمال کر رہی ہیں اور ریاستی باشندے روز افزوں مصائب و آلام کا شکار ہو رہے ہیں۔ چنانچہ دادی کشمیر میں غیر یقینیت نے ایک انتہائی خطرناک صورت اختیار کی اور روزانہ مختلف مقامات پر ہولناک آتش زنی کی وارداتیں ہو رہی ہیں۔ اور کروڑوں روپے کی جائیداد ضائع ہو رہی ہے۔ دادی کا ہر فرد بشر ذہنی انتشار کا شکار ہو رہا ہے۔ بالخصوص دیہات میں رہنے والی آبادی جو کہ کل آبادی کا دو تہائی ہے پریشان اور حیران ہے۔ نتیجہ کے طور پر اب وہ زمین داری کے لئے بھی تیار نہیں ہے۔ کیونکہ اسے یہی خطرہ رہتا ہے کہ کہیں اس کے مکان سے غیر حاضری کی صورت میں اس کی جائیداد ضائع نہ ہو۔

حکومت کی معنی خیز خاموشی اس بات کو اور زیادہ تشویش ناک بنا دیتی ہے اور مختلف قسم کی قیاس آرائیاں ہو رہی ہیں۔ ان حالات میں اگر خلا خواستہ مسئلہ کشمیر اور زیادہ طوالت میں پڑا۔ تو کوئی تعجب کی بات نہیں کہ حالیہ واقعات کا سہارا لے کر اس سے بھی زیادہ خطرناک اقدام کئے جائیں جن میں انسانی جانوں کا تلف کیا جانا بھی شامل ہو سکتا ہے۔

میری رائے میں امن عامہ کی برقراری سے متعلق محکمہ جات کی نااہلی ان تمام غلام کی حوصلہ افزائی کرے گی جو ملک میں انتشار اور اختلاف پھیل کر اپنا الو سیدھا کرنا چاہتے ہیں۔ ان انتہائی نازک حالات میں ہم پر یہ فرض عائد ہوتا ہے کہ ہم مسئلہ کشمیر کے فوری پُر امن حل کے لئے زور دیں اور متعلقہ حکومتیں (پاکستان اور ہندوستان) بردباؤ ڈالیں۔ تاکہ ہمیں ان مصائب و آلام سے نجات حاصل ہو۔

میری رائے میں مسئلہ کشمیر کو حل کرنے کا واحد اور قابل قبول حل وہی ہے۔ جو حکومت ہند و پاکستان کے علاوہ اہالیان ریاست کو منظور ہو اور ان کے حسب مشا

جموں و کشمیر سیٹ پیولز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز میر و اعظم مولوی محمد الیسین صاحب ہمدانی کی طرف سے موصول ہوئی ہے۔

”گذشتہ سال سیٹ پیولز کنونشن کا جو اجلاس ایک قرارداد پاس کر کے برخواست ہوا تھا۔ تب سے کئی بار سیٹ پیولز کنونشن کی اسٹراٹجک کمیٹی کے اجلاس ہوئے اور مسئلہ کشمیر کے وقتاً فوقتاً بدلتے ہوئے حالات پر غور ہوتا رہا اور ڈیلی گیٹ حضرات کے پاس سٹرٹجک کمیٹی کے فیصلہ جات بھیج دیئے گئے۔

سیٹ پیولز کنونشن نے گذشتہ سال اس بات کا اعلان کیا تھا کہ یہ مسئلہ کشمیر کو فوری حل کرنے کے لئے مدت تارکہ کے اُس پار رہنے والے باشندگان ریاست کو بھی مدعو کرے گی۔ چنانچہ اس سلسلہ میں کنونشن کے صدر جناب شیخ صاحب نے حکومت ہندوستان اور پاکستان سے خط و کتابت کی۔ بد قسمتی سے حکومت ہندوستان نے انھیں یہاں آنے کی اجازت نہیں دی۔

مسئلہ کشمیر پچیس سال سے توکل میں پڑا ہے۔ ریاستی باشندوں کی بار بار کوششوں کے باوجود استحصالی طاقتیں ہماری اس غیر یقینی صورت حال کو برقرار رکھنے کے لئے

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مندرجہ ذیل تجویز جناب پیرزاہہ بدال الدین صاحب کی طرف سے موصول ہوئی ہے۔

”سٹرٹنگ کمیٹی نے ریاست بھر کے مندوبین حضرات کی تجاویز کو آخری اور جامع تشکیل دی ہے وہ قابلِ قدر ہے۔ اس رپورٹ میں اوردان تجاویز کی روشنی میں مسئلہ کشمیر کے حل ہونے کے بارے میں ۱۵ تجویزیں میرے سامنے ہیں۔ ایک تجویز جو گذشتہ کنونشن میں بادس کے سامنے پیش کر چکا ہوں۔ تجویز کی مندرجہ ذیل صورت ہے:

۱) ہندوستان اور پاکستان افواج کو نکال کر کچھ مدت سلامتی کو نسل ریاست جوں و کشمیر کو اپنے کنٹرول میں رکھے۔ اس مدت میں جوں اور راولپنڈی دونوں روڈ آمد و رفت کے لئے کھلے ہوں کشمیر کے وہ باشندے جو اپنے وطن سے باہر بصورتِ رضیو بی زندگی بسر کر رہے ہیں ان کو اپنے وطن میں آباد کرنے کے مواقع اور سہولیات میسر کئے جائیں۔ پھر دس سال کے بعد یہاں آزادانہ فضا میں ریاست کی وحدت کو ملحوظِ نظر رکھتے ہوئے یعنی اس کی سالمیت کا لحاظ رکھتے ہوئے ایک خوشگوار ماحول میں رائیتماری کی جائے۔ کسی قسم کا دباؤ نہ ہو۔ یہاں کے عوام ہندوستان سے

ہو اور وہ مل سوائے استصواب رائے عامہ کے اور کچھ نہیں ہو سکتا۔

یہ بات بھی جا رہی ہے کہ استصواب رائے عامہ کے لئے حالات سازگار نہیں ہیں۔ اس سلسلے میں میری رائے ہے کہ ہندوستان اور پاکستان اور کشمیر کے مسئلہ لڈران کی ایک کانفرنس بلائی جائے اور اس دائرہ کے اندر گفت و شنید کی جائے کہ ریاست جوں و کشمیر جس میں آزاد کشمیر کا علاقہ بھی شامل ہے کو تمام ہر دینی فوجوں سے خالی کر کے کم از کم ۵ سال کے لئے اقوام متحدہ کی زیر نگرانی رکھا جائے۔

دریں اثنا ریاست میں ایک مخلصہ حکومت قائم کی جائے جو اندرونی نظم و نسق چلانے کی ذمہ دار ہو اور اقوام متحدہ کی زیر نگرانی پانچ سال گزرنے کے بعد رائیتماری کرائی جائے جس میں عوام سے پوچھا جائے آیا وہ ہندوستان یا پاکستان سے الحاق چاہتے ہیں یا آزاد ہونا چاہتے ہیں؟

مجھے امید ہے میری تجویز پر غور کر کے شکور فرمائیں گے۔

مولوی محمد حسین ہمدانی

ہندوستان میں فرقہ وارانہ ذہنیت، ہندو مسلم منافرت دھڑکنا، اس ملک میں بھائی چلادہ خوشگوار اور پر امن ماحول پیدا کرنا جس سے وہاں کے لوگ مسلم ہوں یا غیر مسلم امن و سکون اور آرام و آسائش کی زندگی بسر کر سکیں، ہمارا مقدس فریضہ ہے۔ یہ اسی صورت میں ممکن ہے جبکہ ہمیں رواداری کا جذبہ ہو۔ حقیقی دینداروں اور مذہب کے پیرکاروں میں بنی نوع انسان کے لئے نفرت اور تعصب کا جذبہ نہیں ہوتا۔ حضرت محی الدینؒ جی کا روئے سخن بنی نوع کی طرف ہندی بر زمین تھا۔ انھوں نے ہند میں رواداری سے ہی انسانیت کی صحیح تعبیر فرمائی، حضرت امیر کبیرؒ میر تقی میرؒ کی غیر مسلموں میں آکر ہی یہاں انسانیت کی صحیح تصویر ان کے سامنے پیش کی۔ آج بھی اگر انسان کامل ایسے ناقص انسانوں کی برہی اور بے بنیاد کرے جو نفرت، فرقہ وارانہ ذہنیت، تعصب، حدود وغیرہ جیسے روحانی اخلاقی اور ایمان کے اہرامن کے شکار ہو رہے ہوں وہ آج بھی اپنے کردار سے انھیں متاثر کر کے مذہبی تعصب دھڑک رہا ہے۔

جس طرح ہمارے پاکستان میں دستکاری، صنعت و حرفت اور میوہ جات کے لئے مارکیٹ کی ضرورت ہے اور پاکستان روڈ سے باہر کی منڈیوں میں پہنچنے کے لئے اس پر جوں روڈ کے مقابلے میں بہت کم خرچ آتا ہے۔ اسی طرح ہماری ریاست میں ایسا سامان بھی تیار ہوتا ہے۔ جس کی ہندوستان میں زیادہ مانگ ہے اس لئے راولپنڈی روڈ کی جس قدر ہمیں ضرورت ہے اسی قدر بٹھانکوٹ روڈ کی بھی ضرورت ہے۔ اس کے علاوہ اور بھی ایسے مسائل ہیں جنہاں کے پیش نظر ہماری مذہبی، سیاسی، اقتصادی اور دعائی امور کے لئے ہندوستان و پاکستان دونوں ممالک کے ساتھ ہمارا رابطہ ضروری ہے یہ دونوں روڈ کھلنے کی صورت میں ہماری ریاست بہت حد تک خوشحال ہو سکتی ہے۔ اور مصائب و مشکلات سے ہم آزاد ہو سکتے ہیں۔

الحاق کے خواہش مند ہوں یا پاکستان سے یا انھیں خود مختار رہنا پسند ہو۔ انھیں اس بارے میں آزادانہ رائے شماری کا موقع دیا جائے تو یہ سب سے بہتر صورت ہے۔ اگر یہ صورت ممکن نہیں، ہندوستان اور پاکستان کو اس امر کے لئے آمادہ کرنا مشکل ہے تو دوسری تجویز جو میرے ذہن میں ہے، جس سے دونوں کی ہار جیت کا سوال پیدا نہیں ہوگا اور "POINT OF HONOUR" کا تحفظ ہوگا وہ تجویز مندرجہ ذیل صورت میں پیش کرتا ہوں:

۱۲، ہندوستان اور پاکستان کا مشترکہ دفاع ہو۔ جوں اور راولپنڈی روڈز کھول دیئے جائیں۔ دونوں راہوں کو بصورت آمد و رفت یکساں درجہ دیا جائے۔ اندرونی آزادی کی پوری ضمانت دی جائے۔ دونوں ممالک ہماری اندرونی ایڈمنسٹریشن میں کوئی مداخلت نہ کریں۔

ریاست کے اندرونی تحفظ، امن و امان، نظم و نسق برقرار رکھنے کے لئے ریاست کی فوج ہی ذمہ دار ہو۔ غیر ریاستی فوج کو ہماری ریاست کے اندرونی معاملات میں مداخلت کرنے کا حق نہ ہو۔ اسی طرح سول ایڈمنسٹریشن میں بھی ہماری ریاست میں مداخلت کرنے کا کوئی حق نہ ہو۔

تجویز ۲ کی رو سے ہندوستان میں رہنے والے کروڑوں مسلمانوں سے کچھ ہمارا واسطہ ہے گا۔ جو لوگ الحاق کے بارے میں صرف مذہبی نقطہ نظر سے سوچتے ہیں۔ اور باقی اہل کفر و کفر انداز کرتے ہیں۔ انھیں ہندوستان کے مسلمانوں کو کبھی پیش نظر رکھنا ہے۔ انھیں بھی ہماری مدد کی ضرورت ہے۔ بٹھانکوٹ کا راستہ بند رہنے سے ہم ان کے ساتھ وہ تعلقات قائم نہیں رکھ سکتے جن سے ہم ان کے کام آئیں، ان کی خدمت کر سکیں۔

کسی نہ کسی صورت میں یہی ظاہر ہو تا رہا ہے کہ رائٹسماری ہی بہترین حل ہے۔ رائٹسماری کے ذریعے ہی ہندوپاک کے اس جھگڑے کا حل ممکن ہے بلکہ ریاست کے لئے تیسری راہ بھی ممکن ہو سکتی ہے کہ لوگ دو سلطنتوں کے الحاق کے بغیر کوئی تیسرا راستہ بھی سوچ سکتے ہیں۔

رہا طریقہ تشکیل وہ یوں ہو گا کہ ہندوپاک افواج کا انخلا ہو۔ اقوام متحدہ کے چند غیر جانبدار ممالک کی فوجوں کو ریاست کی عارضی حفاظت کے لئے متین کیا جائے اور رائٹسماری کے نتائج کے بعد وہ بھی اپنے ممالک کو واپس ہوں گی۔

چونکہ ریاست پر دونوں سلطنتوں کا ایک ایک حصہ قبضہ ہے اور جنگ بندی لائن نے بہت سے گھرانوں اور خاندانوں کو اپنے اصلی مقام سے ہٹا دیا ہے۔ رائے شماری سے قبل طرفین کے پناہ گزین اپنے اصلی مقامات پر واپس جائیں۔ آزاد کشمیر و ملحقات کو ریاست کے ساتھ ملا دیا جائے۔ راولپنڈی سرنگر شاہراہ کھولی جائے۔

اندرونی انتظامات کے لئے ایک عبوری حکومت نامزد کی جائے جس میں تمام سیاسی پارٹیوں کے آپس کے شور سے یہ نامزدگی عمل میں لائی جائے۔

ہندوپاک حکومتیں دوستانہ ماحول قائم کرنے کے لئے جانیں کے لیڈ اور سربراہ آپس میں ملتے رہیں تاکہ تین سالہ کدورتیں مٹ جائیں۔

یہ طریقہ کار عمل میں لانے کے لئے اگر ریاست کو اقوام متحدہ کی نگرانی میں کسی خاص مدت کے لئے رکھنا پڑے تو یقیناً اس پر راضی ہوں اور رائٹسماری کے تمام منصوبے اور طریقہ کار کو مدون و مرتب کیا جائے جس میں پاکستان، بھارت، راسمیت نمائندے اور اقوام متحدہ کے شیر مل کر کام کرتے ہوں۔

رائٹسماری کے نتائج کو اقوام متحدہ کے مقرر کردہ کمیشن کے تحت ریاست میں

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مندرجہ ذیل تجویز جناب محمد نور الدین صاحب رعنا واری سرنگر کی طرف سے موصول ہوئی ہے۔

تجویز

”ریاست کا متقل اور مستحکم حل ایک ہی نظر آتا ہے جس سے حق و انصاف اور جمہوریت کا اصول دنیا کے سامنے واضح اور روشن نظر آ سکتا ہے جس سے تعصب اور دباؤ کا فوراً نظر جائے گا اور ہندوپاک جھگڑوں کو ختم کرنے کے لئے راہ عمل کھل جائے گا۔ آپس کے تمام نزاع رافع ہوں گے اور ان کی دیگر صورت پیدا ہو سکے گی اور دیگر بین المملکتی خدشات کا امکان مٹ جائے گا۔ معاشی اور معاشرتی، اقتصادی ترقی اور جمہوریت کی رکاوٹیں دور ہوں گی۔ فرقہ وارانہ فسادات کا خاتمہ ہو جائے گا اور ملک میں خوشحالی اور فارغ البالی پیدا ہوگی اور وہ صرف یہی حل ہے کہ سالم ریاست کو ملا کر رائٹسماری کرائی جائے۔“ اقوام متحدہ میں بھی اسی کے متعلق ریزولوشن پاس ہوئے ہیں۔ فریقین نے نے بھی ان کو تسلیم کیا ہے۔

بقیہ کمیشن آج تک اس بارے میں مقرر ہوئے ان کا حل بھی معاملہ کے متعلق

جوں و کشمیر ٹیٹ پیولز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز شری مدن لال صاحب کی طرف سے موصول ہوئی ہے۔

”صاحب صدر و مسز ڈبلی گیت حضرات!

ریاست جوں و کشمیر کے سیاسی مستقبل

کے بارے میں کوئی بھی تجویز اس وقت تک قابل اعتناء قرار نہیں دی جاسکتی ہے جب تک نہ تجویز کنندہ کے سامنے اس مسئلہ کی اصلیت اور حقیقت واضح ہو جسے ”مسئلہ کشمیر“ کہتے ہیں۔ حقیقت یہ ہے کہ مسئلہ کشمیر کے حل کے بارے میں کسی تجویز کی معقولیت اس مسئلہ کی اصلیت و حقیقت سمجھنے پر ہی منحصر ہے۔ اس لئے ٹیٹ پیولز کنونشن کے ریزولیشن اور مورمہ ۱۱ اکتوبر ۱۹۶۷ء اور دستاویز الف کے مطابق مسئلہ کشمیر کے ”حقیقت پسندانہ اور منفصانہ حل“ کے سلسلے میں کوئی تجویز پیش کرنے سے قبل مندرجہ ذیل حقائق کو مد نظر رکھنا حقیقت پسندی کے بنیادی اصولوں کے عین مطابق ہے:

۱۔ مسئلہ کشمیر کا تعلق جمہوی طور نہ صرف اس حصہ ریاست کے ساتھ ہے جس میں یہ کنونشن منعقد ہو رہا ہے بلکہ اس حصہ ریاست کے ساتھ بھی جو اس وقت پاکستان کے تسلط میں

لاگو کر دیا جائے اور اس وقت جبکہ ریاست اپنے دفاع اور دیگر ضروریات ملکی و سیاسی کو بروئے کار لائے اقوام متحدہ کی یہ نگرانی تب تک قائم رہے گی۔

آج تک ریاست کا یہی مطالبہ زوروں پر رہا اور ثابت بھی ہوا کہ مسئلہ متنازعہ ہے اور حل طلب ہے۔ اس لئے اس کا بہترین حل رائیٹمدی ہی ہے جو کہ حق خود ارادیت کا عملی ثبوت ہو سکتا ہے۔

جوں و کشمیر کی ساری آبادی اس معلق پونڈیشن نے نہایت اضطراب اور پریشانی میں مبتلا کر رکھی ہے۔ رات دن کا آرام ختم ہو گیا ہے۔ اس کے آخری حل کے ایک ہی ایسی صورت ہو سکتی ہے جس سے ملک میں امن و امان، آشتی اور فراق و دارانہ یکجہتی اور سلامتی قائم و دائم رہ سکتی ہے۔

محمد نور الدین

سرنگر

اسی اُن کے خلاف بنوادت کر رہے ہیں وہ عوام کے حقیقی نمائندے نہیں بلکہ "خالق میڈ" ہیں۔ ملاق صاحب کے اس اظہار کا یہ واضح مطلب ہے کہ ۱۹۶۷ء میں بھی حقیقی اور آزادانہ انتخابات عمل میں نہیں لائے گئے ہیں۔ حکمران کانگریس کے ساتھ وابستہ ہونے کے ناطے وزیراعلیٰ کے اس طرح کے خیالات کی ایک خاص اہمیت ہے اور یہ مرکزی سرکار ان خیالات کی ترجمانی کر رہے ہیں جو وہ کشمیر میں آج تک کے انتخابات کے بارے میں رکھتے ہیں۔ وزیراعلیٰ کے اس طرح کے اظہار کے پس منظر میں محاذِ اشتیاعی کا آزادانہ اور غیر جانبدارانہ انتخابات لڑنے کا فیصلہ برلن کا خط سے موزوں و مناسب ہے۔ ہندوستانی آئین کے مطابق اور اس کے حدود میں غیر جانبدارانہ انتخابات کے بعد جموں و کشمیر میں ایک نمائندہ حکومت کا قیام ہی اس مسئلہ کا اصلی حل ہے۔ جبکہ میں نے اپنے پہلے پرچے میں کہا ہے کہ اسٹریٹنگ کیٹی کی ہدایت کے تحت میری تجویز ہے کہ جموں و کشمیر کا ہندوستان کے ایک حصہ کے طور پر قرار دے سورا رہنمائی اس مسئلہ کا حقیقت پسندانہ حل ہے۔

مدن لعل

ہے اس حصہ ریاست کی اس حصہ سے علاقہ دگی کے حالات اس قدر پیچیدہ ہیں کہ شخص صاحب اور دوسرے لیڈروں کی نبردست کوششوں کے باوجود اس حصہ کا ایک بھی نمائندہ اس کنونشن میں شامل نہیں۔

۲۱، ریاست کے اس حصہ کے بارے میں یہ ایک تاریخی حقیقت ہے کہ جس کے ایک حصہ پر پاکستان کا بلواسطی یا بلاواسطہ قبضہ ہے۔

۲۲، جبکہ اس حصہ ریاست کے بارے میں یہ بھی تاریخی حقیقت ہے کہ اس نے ہندوستان کے ساتھ (مستقل یا عارضی) الحاق کیا ہے جس میں اس کنونشن کے روح رواں جناب شیخ صاحب کو ایک تاریخی حیثیت حاصل ہے۔ کیونکہ الحاق (عارضی یا مستقل) ان کی سربراہی میں ہوا تھا۔

۲۳، جو موجودہ حالات میں ریاست کے مستقبل کے بارے میں کسی تجویز کے سلسلے میں سب سے بڑی اور اہم ترین بات جو قابل ذکر ہے کہ جموں و کشمیر میٹ پیو بلز کنونشن کے اجلاس اول کے انعقاد (اکتوبر ۱۹۶۶ء) کے بعد ریاست میں حق خود ارادیت کی سب سے بڑی جماعت "محاذِ اشتیاعی" کی سیاست اور طریقہ میں ایک تاریخی تبدیلی آئی ہے اور یہ جماعت انتخابات کے بائیکاٹ کو ترک کر کے آئینی جدوجہد پر اتر آئی ہے جس میں انتخابات میں شمولیت اور اس کے جملہ لوازمات بھی شامل ہیں۔ محاذ کی سیاست اور طریقہ کار میں یہ ایک ایسی تبدیلی ہے جسے کشمیر اور بیرون کشمیر کے عام جمہوری اور ترقی پسند حلقوں میں سراہا جاتا ہے۔ خود ریاست کے وزیراعلیٰ جی۔ ایم۔ صادق نے ۱۹۶۷ء کے عام انتخابات کے بعد کہا کہ اس سے قبل ریاست میں حقیقی اور آزادانہ انتخابات عمل میں نہیں لائے گئے۔ اس طرح انھوں نے اس وقت ۱۹۶۷ء کے انتخابات کو حقیقی اور آزادانہ انتخابات کا نام دیا۔ لیکن قائم گروپ کے ساتھ حالیہ شکست میں انھوں نے کہا کہ جو ممبران

حل نہیں کہ تجویز آف کے مطابق رائیتماری کے ذریعہ کشمیر کا مسئلہ طے پایا جائے اس لئے کہ نہ صرف اس مسئلہ پر اس سے قبل تمام فریق متفق ہو چکے ہیں بلکہ مجلس اقوام متحدہ بھی یہی فیصلہ صادر کر چکی ہے۔ جمہوری اتحاد بھی یہی ہے کہ عوام کی رائے سے ریاست کا فیصلہ کیا جائے۔

بوجوہات دیگر تجاویز سے قطع نظر کرتے ہوئے صرف رائیتماری کی تجویز کو میں قابل عمل تصور کرتا ہوں اور اس کے حق میں رائے رکھتا ہوں۔ رائیتماری کے طریق کار کے بارے میں چند تجاویز پیش کرتا ہوں:-

۱۔ رائیتماری سے قبل ریاست سے دونوں ممالک کی افواج کی واپسی
۲۔ استعواب رائے و قیام نظم و نسق کے لئے عوامی حکومت کا قیام
۳۔ اندرون ریاست دونوں حصوں کے عوام کو آمد و رفت کی آزادی اور حد بندی کا اختتام

۴۔ امن و امان قائم رکھنے کے لئے ریاستی فوج کا قیام
۵۔ اقوام متحدہ کی زیر نگرانی رائیتماری کا انتظام
مندرجہ بالا امور کو مرض عمل میں لانے کے لئے ضروری ہوگا کہ بھارت پاکستان اور رہنمایان کشمیر کی ایک گول بین کانفرنس منعقد ہو کر ان تمام امور پر اتفاق رائے سے فیصلہ کیا جائے اور رائیتماری کا جو نتیجہ برآمد ہو سب فریق اسے قبول و تسلیم کریں۔ و سلام
خواجہ عبدالقادر

مظفر آباد (آزاد کشمیر)

دستاویز ۳۵

جموں و کشمیر سٹیٹ پیپلز کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز جناب عبدالقادر صاحب مظفر آباد (آزاد کشمیر) کی طرف سے موصول ہوئی ہے۔
تجویز:-

”ہماری رائے کلاثرہ سفارشات ”ب“ اور ”ج“ تک ہی محدود ہونا چاہیے۔ ٹی ٹی گٹ حضرت کی تجاویز ریاست کے مستقبل اور مسائل کے حل کے لئے جو جوں کے ابھاس میں پیش ہوئیں ان کا خلاصہ حسب ذیل ہے:

- الف۔ رائیتماری کے ذریعے حل
- ب۔ ہندوستان کے ساتھ الحاق
- ج۔ پاکستان کے ساتھ الحاق
- د۔ ریاست کی مکمل آزادی
- ح۔ عارضی انتظامات اور ایک میزبندیت کے بعد آخری حل
- و۔ مسئلہ کو حل کرنے کے لئے دیگر طریق کار

اس مسئلہ پر غور و خوض کرنے کے بعد میری رائے میں اس سے بہتر اور موزون کوئی

ریاست کے پچاس لاکھ عوام عرصہ بائیس سال سے جن غیر یقینی حالات اور تلخ ترین دور سے گزر رہے ہیں وہ کسی سے پوشیدہ نہیں ہیں۔ اب سوال یہ ہے کہ ریاست جوں و کشمیر کا سیاسی مستقبل اور یہ مسئلہ کس طرح حل ہو جائے گا اور اس کے لئے کیا طریقہ اختیار کیا جائے گا۔ لہذا میری رائے میں کافی تجربہ کے بعد اور یہاں پر اپنے دوستوں سے بات چیت کے بعد دوستوں کی اکثریت کو میں نے اپنی تجویز سے متفق پایا۔ چونکہ اس مسئلہ کو حل کرنے کے لئے جو تجاویز میرے پاس ہیں وہ گزارش کر رہا ہوں۔

تجاویز :-

۱۔ سرنگرہ راولپنڈی روڈ کو سب سے پہلے کھولنے کی اشد ضرورت ہے تاکہ ریاست کے دو حصوں میں بڑے ہوئے لوگ ایک دوسرے سے مل سکیں اور ایک دوسرے کا نقطہ نظر سمجھ سکیں اور آپس میں متفق ہونے کے لئے ان کو موقع مل سکے۔ اس طرح ریاستی عوام کو بائیس سال تلخ تجربہ سامنے رکھ کر صحیح سوچنے اور فیصلہ کرنے کے لئے وقت مل جائے گا اور ایک دوسرے سے دور رہتے ہوئے تلخ تجربہ اور یہ دور ختم ہونے سے مستقبل کے بارے میں سوچنے کا بہترین موقع میسر آجائے گا۔

۲۔ ریاست جوں و کشمیر جولائی ۱۹۴۷ء میں ڈوگرہ مہاراجہ کے زیر نگین تھی اور مکی آزادی کے لئے ۱۹۴۷ء تک ریاست کے کونے کونے سے عوام نے اپنی آزادی کے لئے ڈوگرہ حکومت کے خلاف آزادی کی جنگ اڑا رہے تھے اور اس جنگ آزادی کی قیادت مسئلہ طور پر جناب کشمیر فرما رہے تھے۔ اسی ریاست کو سانی علاقائی بنیادوں پر تعمیر کرنا ناقابل تلافی نقصان ہوگا۔ لہذا ریاست کی وحدت جو صدیوں سے چلی آ رہی ہے ناقابل تقسیم وحدت ہے۔ اس کو تقسیم کرنا ہماری دیرینہ تحریک آزادی نفی کرتی ہے۔

جوں و کشمیر سیٹ پیولز کنونشن مجاہد منزل سرنگرہ

مندرجہ ذیل تجویز جناب محترم غلام محی الدین جیلانی صاحب جلاوطن کارکن حال مقیم راولپنڈی مغربی پاکستان محضت دلیبر ہوٹل چوک بازار کلاں راولپنڈی کے طرف سے وصول ہوئی ہے۔

ڈیلی گیٹ حضرات!

السلام علیکم۔ آج جبکہ یہ اہم اور تاریخی اجلاس جس کا مقصد ریاست جوں و کشمیر کے سیاسی مستقبل کا حل تلاش کرنا ہے ہو رہا ہے۔ جناب والا کشمیر کا مسئلہ عرصہ بائیس سال سے تین فریقوں یعنی بھارت، پاکستان اور کشمیری عوام کے درمیان ایک پیچیدہ اور حل طلب مسئلہ بنا ہوا ہے۔ اس مسئلہ کا باعزت اور پرامن حل تلاش کرنے کے لئے آپ حضرات یہاں جمع ہوئے ہیں۔ میں ایک ادنیٰ سی کامیابی کا کہتا ہوں اور مجھے بھی اس عظیم الشان تاریخی اجلاس میں اپنی حقیر رائے ظاہر کرنے کا موقع بخشا گیا ہے۔ اس لئے میں یہ کوشش کروں گا کہ میری رائے کے ساتھ اتفاق رائے کی اکثریت حاصل ہو۔

رہے ہیں میرے خیال میں موجودہ زمانے میں کسی ملک کے عوام قطعاً ایسی زندگی بسر نہیں کرتے ہوں گے۔ خاص کر مہاجرین کشمیر جن کے لئے یہ قیامت نیز دور چل رہا ہے اب آپ کی طرف امید لگائے انتظار کر رہے ہیں تاکہ وہ بھی اپنے سے جدا ہوئے بال بچوں کو دیکھ سکیں۔ کیونکہ مہاجرین کشمیر اس طرف کے رہنماؤں کو ہی اپنا نجات دہندہ تصور کرتے ہیں۔ میری دعا ہے خداوند کریم آپ کو اس مشن میں کامیابی عطا فرمائے۔

غلام محی الدین جیلانی

جلاوطن کارکن حال مقیم راولپنڈی

(۲) ریاست جموں و کشمیر کو زیادہ سے زیادہ دس سال کے لئے اقوام متحدہ کی نگرانی میں دیا جائے اور حکومت بھارت و پاکستان اپنی اپنی فوجیں ریاست سے واپس بلا لیں۔ ان کی جگہ ریاستی فوج متعین کی جائے۔ کیونکہ جس وقت یہ فوجیں ریاست میں داخل ہوئی تھیں ریاستی عوام کی یہ ہرگز خواہش نہ تھی نہ کشمیری عوام نے ان دونوں میں سے کسی ایک کے خلاف امداد کی درخواست کی تھی۔ اس لئے دونوں فوجوں کا اخلاص و ریا ہے تاکہ کشمیری عوام کے دلوں اور دہنوں سے تشدد کے علاوہ فوجیاد باؤ بھی ختم ہو جائے اور ریاستی عوام کو بلا کسی خوف و ہراس اپنے مستقبل کا فیصلہ کرنے کا موقع میسر آجائے۔

(۳) وہ یہ کہ ریاست کا نظام چلانے کے لئے ایک پیریم کونسل مقرر کی جائے۔ جس کے سربراہ جناب شیر کشمیر ہوں اور کونسل ریاست کا نظم و نسق چلانا، امن و امان سے بجا ل کرنا، سیاسی بحران کو دور کرنا، تشدد کا خاتمہ، ریاست میں تمام حالات درست کرنا تاکہ اس مدت میں بالکل پُر امن فضا پیدا ہو کر عوام اپنا فیصلہ بلا کسی خوف و دباؤ کر سکیں۔ یہ کونسل صوبہ جموں و صوبہ کشمیر کو تناسب آبادی کے بنیاد پر دی جائے۔ کیونکہ ۱۹۴۷ء میں کانفرنس نے یہ اصول وضع کیا ہے۔ دس سالہ مدت کے لئے ترقیاتی پروگرام مرتب کرنا اور ترقی کو تیز تر کرنا، مہاجرین کی واپسی و آباد کاری دونوں سے ملکوں سے لین دین تجارت وغیرہ سب پیریم کونسل کو ہی طے کرنا ہو گا۔ تاکہ ریاست میں ترقی کی رفتار تیز تر ہو کر معاشی بد حالی و بحران ختم ہو سکے۔

آخر پر میں صدر مقرر مڈلی گیٹ حضرات سے یہ گزارش کرنا چاہتا ہوں کہ میں سب حضرات سے انسانیت کے نام پر لبیل کرتا ہوں کہ یہ مسئلہ طے کرنے کی طرف یقینی توجہ فرمائیں کیونکہ کشمیری عوام نہایت ہی انسانیت سوز اور تلخ ترین دوسے گزر

اتھ اندر کونسل اس منز زندگی گذران کوس
گو و داغ خوش جوانی پیرس چھم سخی خبر
ہیکہ کر مشرت بہ پیرس چھم قلف ز لگا و دار
اے ہیکہ گذرادہ کتھ دن زندگی پیرس اندر

ہمارے ایک معزز ساتھی مسٹر بزاز نے اس کنونشن میں حق خود ارادیت کی حمایت کی اور ہندوستان کو اس اصول کی حمایت لیکن عملاً مخالفت کرنے پر اٹے ہاتھوں لیا ہے۔ ڈبل ٹاک اور ڈبل سٹنڈرڈ کا الزام دیا ہے..... لیکن انہوں نے اسی ساتھی نے آگے چل کر یہی الزام دیا ہے کہ حق خود ارادیت کو وہ پاکستان جانے کا ذریعہ سمجھتے ہیں۔

ہر مسلم جماعت جو حق خود ارادیت کی حامی ہے اصولاً اور عملاً اپنا فرقہ دارانہ کردار ناذک ترین مرحلوں پر ثابت کر چکی ہے اور خود ہمارے مذکورہ ساتھی بھی اس امر کو تسلیم کرتے ہیں کہ فرقہ دارانہ بھائی چارہ اہل کشمیر کے دگ وپے میں ہے۔ اگر آپ یہ کہہ کر ... حق خود ارادیت کے راستے میں مزاحم ہوں گے کہ حق خود ارادیت کا استعمال پاکستان کے ساتھ الحاق کا نتیجہ برآمد کرے گا اور اس لئے اس کی مخالفت کریں گے تو کشمیر میں یہ کہنے میں حتی بجانب ہوں گے کہ ہندوستان میں سب سے زیادہ حق خود ارادیت کے مخالف پہلی دلیل دیتے ہیں اور اس طرح سے یہاں کے عوام کو اس بنیادی حق سے محروم رکھنا چاہتے ہیں ۔

مندوبین حضرات نے دیکھا کہ محاذِ اُترِ شمالی، اسلامی جماعتیں، طلباء کی تنظیمیں

جہوں و کشمیر سٹیٹ پریس کنونشن مجاہد منزل سرنگر

مندرجہ ذیل تجویز خباب محمد نقیوب بیگ صاحب کی طرف سے موصول ہوئی ہے۔

”یہ کنونشن کئی معنوں میں بے مثال ہے اور لا جواب بھی۔ بے مثل اس لئے کہ تاریخِ عالم میں کہیں ایسی مثال پیش نہیں کی جاسکتی کہ جس شخص نے کسی کانفرنس، اجلاس یا کسی کنونشن کی رسم افتتاح کی اس نے اسی کے خلاف بولا ہو اور اس طرح اس کی روح کو ہی فنا کیا ہو۔“

لا جواب اس لئے کہ ہم خود فریبی میں مبتلا ہو گئے کہ ہم کوئی فیصلہ لے کر اس سے منوا بھی سکتے ہیں، جنوں و کشمیر کے مستقبل کے بارے میں فیصلہ لے کر اسے منوانا تو درکنار ہم تو کشمیری بھائیوں مقیم آزاد کشمیر کو اس کنونشن میں شمولیت کرانے میں کامیاب نہ ہو سکے۔ اپنا فیصلہ منوانے کے لئے ہندوستان کے خلاف استیغراہ کرنے کے لئے بھی تیار نہیں تو ہم کونسا فیصلہ لینا چاہتے ہیں اور کس لئے ؟

ہماری حالت اس پرندے کی طرح ہے جس کے بارے میں ایک کشمیری شاعر فرماتے ہیں۔

جے۔ پی۔ نارائن اور منظر بزاز میں کوئی استثناء نہیں۔ ایک اور عمر برساتی جنہوں نے ہندوستان کے الحاق کے حق میں دلائل پیش کئے ہیں اپنے پیپر میں خود اعتراف کیا ہے کہ "کشمیری مسلمان کا سب سے بڑا مسئلہ یہ ہے کہ وہ اپنے آپ کو اس ملک میں غیر محفوظ تصور کرتا ہے۔ اسے ہر وقت یہ احساس ستا رہا ہے کہ اس کا مذہب اس کی معاشرت اور اس کا وجود خطرے میں ہے۔ ہندوستان میں وقتاً فوقتاً رونما ہونے والے فرقہ وارانہ فسادات نے اس کے اس احساس کو یقین میں بدل دیا ہے۔ اس پس منظر میں اگر وہ ہندوستان سے علاحدہ ہو کر پاکستان کے ساتھ شامل ہونے کی تمنا کرے تو کیا یہ تمنا غیر فطری ہے یا میں اپنے غیر مسلم دوستوں سے یہ پوچھنا چاہوں گا کہ انھوں نے کشمیری مسلمانوں کو تحفظ کا احساس دلانے کے لئے ابھی تک کیا کچھ کرنا ہے یا کیا یہ صحیح نہیں کہ اس ملک میں فرقہ وارانہ تنظیمیں اخبارات اور ادارے موجود ہیں جو آج بھی مسلمانوں کے وجود کو ختم کرنے کے درپے ہیں۔ کیا یہ واقعہ نہیں ہے کہ ہندوستانی اخبارات میں آئے دن فرقہ پرست ہندوؤں کے ایسے ایسے زہریلے بیانات پھرتے رہتے ہیں جن کو پڑھتے ہوئے کسی بھی ذی روح انسان کے بدن میں جھرجھری پیدا ہو جاتی ہے کیا یہ حقیقت نہیں ہے کہ کشمیری مسلم اکثریت کو اقلیت میں تبدیل کرنے کے منصوبے پر کھلے بندوں بھت کی جارہی ہے یا کیا مسلمانوں پر سرکاری ملازمت، فوجی ملازمت اور پرائیویٹ ملازمت کے دروازے آج بھی بند نہیں ہیں؟ اس ماحول میں کشمیری مسلمان کا قانونی اور آئینی نکات کے سہارے ہندوستان سے علاحدہ ہونے کی خواہش بالکل فطری ہے۔"

ایک اور ساتھی نے فرمایا

"کشمیریوں کو یہ خیال کے طور پر نہیں بلکہ اقلیت کی ضمانت کے طور پر ہندوستان

عوامی ایکشن کمیٹی اور پولیٹیکل کانفرنس حصول حق خود ارادیت کے لئے سرگرم ہیں۔ ہر قدم پر فرقہ وارانہ اتحاد قائم رکھنے کے لئے سوہنر کی بازی لگاتے ہیں اور جماعت کے ہر فرد کو اس نعرہ کو قول و فعلاً محض یا سیاسی نعرہ نہیں سمجھتے ہیں اور نہ ہی تحریک کو بالواسطہ یا بلاواسطہ کوئی مذہبی تحریک نہیں جانتے ہیں۔

آئے دن ہندوستان میں فرقہ وارانہ فسادات، خون خرابہ اور نظم و نسق کے عام رویہ سے اقلیتیں نالاں ہیں۔ اس پس منظر میں اگر مسلمانوں کے دلوں میں ہندوستان کی نسبت اپنے دلوں میں خدشات پیدا ہوں تو وہ بہت حد تک بحال ہیں۔ خاص کر جب ہمارے اوتار کرد و مت یہ بات کہتے ہیں کہ حق خود ارادیت کے استعمال کے ذریعے اگر ریاست پاکستان میں جائے تو یہاں کی غیر مسلم اقلیت بقول ان کے اختلاف اس حق کی مخالفت کرنے میں حق بجانب ہیں۔ کیا یہ ڈبل ٹاک اور ڈبل سینڈرڈ نہیں ہے؟ حق خود ارادیت ہم اہل کشمیر کے لئے بلا امتیاز مذہب و ملت مانگ رہے ہیں۔ اس کو مسلمانوں کا حق خود ارادیت نام دے کر مخالفت پر لگنا یا یہاں کے عوام کے ساتھ شدید بے انصافی ہے۔

میں مذکورہ فاضل ساتھی کو یہ بھی یاد دلانا چاہتا ہوں کہ گذشتہ بیس سالوں کے دوران جب بھی ہندوستان میں بدترین کشیدگی ظاہر ہوئی اور ہزاروں مسلمانوں کا خون بہایا گیا یا کشمیر میں اس قسم کی زہریلی فضا قائم کرنے کی کوشش کی گئی تو اس وقت بھی یہاں کی اقلیت کی جان و مال، عزت و ابرو کی حفاظت کا مقدس فرض کس نے انجام دیا؟ ہندوستان کی لاکھوں فوج اور پولیس نے نہیں بلکہ یہاں کے بہتے مسلمانوں نے جن کے دلوں پر ہندو مسلم سکھ اتحاد کا لافانی اصول نقش ہے۔ کشمیری عوام کو حق خود ارادیت سے محروم رکھنے میں ہندوستان کے پرائم منسٹر

کے ساتھ وابستہ رہنا چاہیے۔

میں یہی عرض کروں گا۔

دل کا مضمین تو تیرا کیا اعتبار

پہلے ایک مضمین ہو مضمین کیلئے

اگست ۱۹۵۳ء کے ساتھ کے بعد کشمیری عوام خود اپنی ضمانت چاہتے ہیں۔

اور وہ لوگوں کی ضمانت دے سکتے ہیں؟

مسئلہ کشمیر کے حل کے بارے میں کہا جاتا ہے کہ ریٹشک اپروچ ہو۔ کچھ اصحاب

کا خیال ہے کہ ریٹشک اپروچ صرف یہ ہے کہ ہندوستان کا قبضہ اب کئی سال سے چلا

آتا ہے اس لئے اس حقیقت کو تسلیم کیا جائے۔ لیکن ریٹشک اپروچ فوجی قبضہ نہیں

بلکہ عوام کا فیصلہ ہے۔ کیونکہ سرداری عوام کا حق ہے فوجی قبضہ کا نہیں۔

ہم ریاست جوں و کشمیر کو ایک وحدت سمجھتے ہیں علامہ علامہ گلڑے نہیں

ہندوستان کے بارے میں جو بھی فیصلہ ہو گا وہ یکجہل نہیں ہو گا بلکہ سالم ریاست کا

ہو گا اور وہ فیصلہ عوام کی اکثریت کا فیصلہ ہو گا۔

میری چچی تلے رہے یہ ہے کہ پانچ سال کے لئے ریاست کو Condominium

دیا جائے (مطلب یہ کہ پاکستان اور ہندوستان کا جوائنٹ کنٹرول رہے) اور اس کے

بعد آزادانہ رائے سے لوگوں کو اپنے مستقبل کا فیصلہ کرنے کی اجازت دی جائے۔

محمد یعقوب بیگ

تاریخ مکہ مکرمہ

جلد اول

محمد یعقوب بیگ

گلشن پبلشرز سرنگر کشمیر

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